

As Reported by the Senate Government Oversight and Reform Committee

131st General Assembly

Regular Session

2015-2016

Sub. H. B. No. 471

Representative Brown

Cosponsors: Representatives Blessing, Derickson, Pelanda, Amstutz, Anielski, Antani, Antonio, Baker, Conditt, Dovilla, Duffey, Green, Hagan, Hambley, McClain, O'Brien, S., Retherford, Sweeney, Thompson, Young

Senator Coley

A BILL

To amend sections 9.901, 101.82, 101.83, 101.84, 1
101.85, 101.86, 101.87, 107.12, 109.71, 135.143, 2
149.301, 149.302, 149.43, 154.01, 154.22, 3
174.06, 189.10, 505.375, 924.01, 924.04, 924.07, 4
924.09, 924.24, 924.25, 924.26, 1501.012, 5
1501.07, 1503.03, 1505.05, 1505.12, 1505.13, 6
1510.01, 1510.02, 1510.04, 1510.05, 1510.06, 7
1510.08, 1510.09, 1510.10, 1510.11, 1513.27, 8
1513.28, 1513.30, 1513.31, 1513.32, 1513.37, 9
1517.23, 1546.06, 1547.81, 1551.35, 1557.06, 10
2933.82, 3334.03, 3334.08, 3701.344, 3701.77, 11
3702.71, 3702.79, 3705.35, 3705.36, 3707.521, 12
3711.20, 3727.39, 3727.41, 3745.015, 3772.02, 13
3905.04, 3905.481, 3905.484, 3905.485, 3905.486, 14
3905.88, 3929.51, 4121.61, 4503.515, 4740.14, 15
5903.02, 5911.09, and 5911.12, and to enact 16
section 924.17, and to repeal sections 109.561, 17
149.303, 193.01, 193.03, 193.05, 193.07, 193.09, 18
1505.11, 1506.12, 1513.29, 1517.03, 1517.04, 19
1521.19, 1546.30, 1546.31, 3333.58, 3701.346, 20
3701.773, 3701.774, 3702.80, 3702.81, 3727.31, 21

3727.311, 3727.312, 3727.313, 3727.32, 3727.321, 22
3905.483, and 4121.70 of the Revised Code, and 23
to amend Sections 729.10 and 729.11 of Am. Sub. 24
H.B. 483 of the 130th General Assembly, as 25
subsequently amended, and to repeal Sections 26
259.270, 263.560, 327.320, 737.10, and 745.10 of 27
Am. Sub. H.B. 64 of the 131st General Assembly, 28
Sections 323.234, 323.235, 747.10, and 753.30 of 29
Am. Sub. H.B. 59 of the 130th General Assembly, 30
Section 5 of Am. Sub. H.B. 487 of the 130th 31
General Assembly, Section 5 of Sub. H.B. 5 of 32
the 130th General Assembly, Section 3 of Sub. 33
H.B. 276 of the 129th General Assembly, Section 34
209.40 of Am. Sub. H.B. 153 of the 129th General 35
Assembly, Section 371.60.80 of Am. Sub. H.B. 153 36
of the 129th General Assembly as subsequently 37
amended, Section 701.40 of Am. Sub. H.B. 153 of 38
the 129th General Assembly as subsequently 39
amended, Sections 751.13 and 751.20 of Am. Sub. 40
H.B. 1 of the 128th General Assembly, Section 41
701.05 of Am. Sub. H.B. 1 of the 128th General 42
Assembly as subsequently amended, Section 755.40 43
of Am. Sub. H.B. 2 of the 128th General 44
Assembly, Section 5 of Sub. S.B. 162 of the 45
128th General Assembly as subsequently amended, 46
Section 313 of Am. Sub. H.B. 420 of the 127th 47
General Assembly, Section 375.60.80 of Am. Sub. 48
H.B. 119 of the 127th General Assembly, Section 49
560.03 of Am. Sub. H.B. 66 of the 126th General 50
Assembly, Section 3 of Am. Sub. S.B. 311 of the 51
126th General Assembly, Section 8 of Am. Sub. 52
S.B. 311 of the 126th General Assembly as 53

subsequently amended, Section 3 of Sub. H.B. 204 54
of the 125th General Assembly, and Section 5 of 55
Sub. H.B. 57 of the 124th General Assembly, to 56
extend the deadline of the Criminal Justice 57
Recodification Committee recommendations to June 58
30, 2017, to modify the provisions regarding the 59
membership of the Committee, to modify the 60
Treasurer of State's authority to invest the 61
interim funds of the state, to authorize the 62
conveyance of, and the granting of perpetual 63
easements to, state-owned real property, to 64
implement the recommendations of the Sunset 65
Review Committee by abolishing, terminating, 66
transferring, or renewing various agencies and 67
by requiring a Sunset Review Committee to be 68
convened during each odd-numbered General 69
Assembly, and to declare an emergency. 70

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

Section 1. That sections 9.901, 101.82, 101.83, 101.84, 71
101.85, 101.86, 101.87, 107.12, 109.71, 135.143, 149.301, 72
149.302, 149.43, 154.01, 154.22, 174.06, 189.10, 505.375, 73
924.01, 924.04, 924.07, 924.09, 924.24, 924.25, 924.26, 74
1501.012, 1501.07, 1503.03, 1505.05, 1505.12, 1505.13, 1510.01, 75
1510.02, 1510.04, 1510.05, 1510.06, 1510.08, 1510.09, 1510.10, 76
1510.11, 1513.27, 1513.28, 1513.30, 1513.31, 1513.32, 1513.37, 77
1517.23, 1546.06, 1547.81, 1551.35, 1557.06, 2933.82, 3334.03, 78
3334.08, 3701.344, 3701.77, 3702.71, 3702.79, 3705.35, 3705.36, 79
3707.521, 3711.20, 3727.39, 3727.41, 3745.015, 3772.02, 3905.04, 80

3905.481, 3905.484, 3905.485, 3905.486, 3905.88, 3929.51, 81
4121.61, 4503.515, 4740.14, 5903.02, 5911.09, and 5911.12 be 82
amended and section 924.17 of the Revised Code be enacted to 83
read as follows: 84

Sec. 9.901. (A) (1) Health care plans that provide benefits 85
to persons employed by public employers as defined by this 86
section may consider best practices established by the former 87
school employees health care board or identified by the 88
department of administrative services. All policies or contracts 89
for health care benefits that are issued or renewed after the 90
expiration of any applicable collective bargaining agreement may 91
consider any best practices identified under this section at the 92
time of renewal. Health care plans that contain the best 93
practices may be self-insured. 94

(2) As used in this section: 95

(a) "Public employer" means political subdivisions, public 96
school districts, or state institutions of higher education. 97

(b) "Public school district" means a city, local, exempted 98
village, or joint vocational school district; a STEM school 99
established under Chapter 3326. of the Revised Code; or an 100
educational service center. "Public school district" does not 101
mean a community school established under Chapter 3314. of the 102
Revised Code. 103

(c) "State institution of higher education" or "state 104
institution" means a state institution of higher education as 105
defined in section 3345.011 of the Revised Code. 106

(d) "Political subdivision" has the same meaning as 107
defined in section 9.833 of the Revised Code. 108

(e) A "health care plan" includes group policies, 109

contracts, and agreements that provide hospital, surgical, or 110
medical expense coverage, including self-insured plans. A 111
"health care plan" does not include an individual plan offered 112
to the employees of a political subdivision, public school 113
district, or state institution, or a plan that provides coverage 114
only for specific disease or accidents, or a hospital indemnity, 115
medicare supplement, or other plan that provides only 116
supplemental benefits, paid for by the employees of a political 117
subdivision, public school district, or state institution. 118

(f) A "health plan sponsor" means a political subdivision, 119
public school district, a state institution of higher education, 120
a consortium of political subdivisions, public school districts, 121
or state institutions, or a council of governments. 122

(B) The department of administrative services shall do all 123
of the following: 124

(1) Identify strategies to manage health care costs; 125

(2) Study the potential benefits of state or regional 126
consortiums of public employers' health care plans; 127

(3) Study information regarding the health care plans 128
offered by political subdivisions, public school districts, 129
state institutions, and existing consortiums; 130

(4) Provide representative cost estimates of options for 131
health care plans for political subdivisions, public school 132
districts, and state institutions of higher education in 133
accordance with division (A) of this section separate from the 134
plans for state agencies; 135

(5) Study and release standards that may be considered the 136
best practices for health care plans offered to employees of 137
political subdivisions, public school districts, and state 138

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| institutions; | 139 |
| (6) Require that plans the health plan sponsors administer | 140 |
| make readily available to the public all cost and design | 141 |
| elements of the plan; | 142 |
| (7) Promote cooperation among all organizations affected | 143 |
| by this section in identifying the elements for successful | 144 |
| implementation of this section; and | 145 |
| (8) Promote cost containment measures aligned with | 146 |
| patient, plan, and provider management strategies in developing | 147 |
| and managing health care plans. | 148 |
| (C) The director of administrative services may convene a | 149 |
| public health care advisory committee to assist in studying the | 150 |
| issues discussed in this section. | 151 |
| (D) Any health care plan providing coverage for the | 152 |
| employees of political subdivisions, public school districts, or | 153 |
| state institutions of higher education, or that have provided | 154 |
| coverage within two years before June 30, 2011, shall provide | 155 |
| nonidentifiable aggregate claims and administrative data for the | 156 |
| coverage provided as required by the department, without charge, | 157 |
| within thirty days after receiving a written request from the | 158 |
| department. The claims data shall include data relating to | 159 |
| employee group benefit sets, demographics, and claims | 160 |
| experience. | 161 |
| (E) <u>(D)</u> The department may work with other state agencies | 162 |
| to obtain services as the department deems necessary for the | 163 |
| implementation and operation of this section, based on | 164 |
| demonstrated experience and expertise in administration, | 165 |
| management, data handling, actuarial studies, quality assurance, | 166 |
| or for other needed services. | 167 |

~~(F)~~ (E) The department shall hire staff as necessary to 168
provide administrative support to the department and the public 169
employee health care plan program established by this section. 170

~~(G)~~ (F) Nothing in this section shall be construed as 171
prohibiting political subdivisions, public school districts, or 172
state institutions from consulting with and compensating 173
insurance agents and brokers for professional services or from 174
establishing a self-insurance program. 175

~~(H)~~ (G) Pursuant to Chapter 117. of the Revised Code, the 176
auditor of state shall conduct all necessary and required audits 177
of the department. The auditor of state, upon request, also 178
shall furnish to the department copies of audits of political 179
subdivisions, public school districts, or consortia performed by 180
the auditor of state. 181

Sec. 101.82. As used in sections 101.82 to 101.87 of the 182
Revised Code: 183

(A) "Agency" means any board, commission, committee, or 184
council, or any other similar state public body required to be 185
established pursuant to state statutes for the exercise of any 186
function of state government and to which members are appointed 187
or elected. "Agency" does not include the following: 188

(1) The general assembly, or any commission, committee, or 189
other body composed entirely of members of the general assembly; 190

(2) Any court; 191

(3) Any public body created by or directly pursuant to the 192
constitution of this state; 193

(4) The board of trustees of any institution of higher 194
education financially supported in whole or in part by the 195

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| state; | 196 |
| (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; | 197 198 199 |
| (6) The public utilities commission of Ohio; | 200 |
| (7) The consumers' counsel governing board; | 201 |
| (8) The Ohio board of regents; | 202 |
| (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; | 203 204 205 206 |
| (10) Any board of elections; | 207 |
| (11) The board of directors of the Ohio insurance guaranty association and the board of governors of the Ohio fair plan underwriting association; | 208 209 210 |
| (12) The Ohio public employees deferred compensation board; | 211 212 |
| (13) The Ohio retirement study council; | 213 |
| (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; | 214 215 216 217 |
| (15) The industrial commission; | 218 |
| (16) The parole board; | 219 |
| (17) The board of tax appeals; | 220 |
| (18) The controlling board; | 221 |

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| (19) The release authority of department of youth services; | 222 223 |
| (20) The environmental review appeals commission; | 224 |
| (21) The Ohio ethics commission; | 225 |
| (22) The Ohio public works commission; | 226 |
| (23) The self-insuring employers evaluation board; | 227 |
| (24) The state board of deposit; | 228 |
| (25) The state employment relations board; <u>and</u> | 229 |
| <u>(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.</u> | 230 231 232 |
| (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. | 233 234 235 236 |
| (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. | 237 238 239 240 |
| (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. | 241 242 243 |
| (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. | 244 245 246 |
| Sec. 101.83. (A) <u>An—Unless renewed in accordance with division (D) of this section:</u> | 247 248 |

~~(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. 279

(B) If the general assembly does not renew or transfer an 280
agency on or before its expiration date, it ~~shall expire~~ expires 281
on that date. 282

The director of budget and management shall not authorize 283
the expenditure of any moneys for any agency on or after the 284
date of its expiration. 285

(C) The general assembly may provide by law for the 286
orderly, efficient, and expeditious conclusion of an agency's 287
business and operation. The rules, orders, licenses, contracts, 288
and other actions made, taken, granted, or performed by the 289
agency ~~shall~~ continue in effect according to their terms 290
notwithstanding the agency's abolition, unless the general 291
assembly provides otherwise by law. The general assembly may 292
provide by law for the temporary or permanent transfer of some 293
or all of a terminated or transferred agency's functions and 294
personnel to a successor agency or officer. 295

The abolition, termination, or transfer of an agency ~~shall~~ 296
does not cause the termination or dismissal of any claim pending 297
against the agency by any person, or any claim pending against 298
any person by the agency. Unless the general assembly provides 299
otherwise by law for the substitution of parties, the attorney 300
general shall succeed the agency with reference to any pending 301
claim. 302

(D) An agency may be renewed by passage of a bill that 303
continues the statutes creating and empowering the agency, that 304
amends or repeals those statutes, or that enacts new statutes, 305
to improve agency usefulness, performance, or effectiveness. 306

Sec. 101.84. (A) ~~There is hereby created the A sunset~~ 307

review committee, ~~to be~~ shall be created to function during each 308
odd-numbered general assembly. The committee shall be 309
of nine members ~~and function in calendar years 2015 and 2016.~~ 310
The president of the senate shall appoint three members of the 311
senate to the committee, not more than two of whom shall be 312
members of the same political party. The speaker of the house of 313
representatives shall appoint three members of the house of 314
representatives to the committee, not more than two of whom 315
shall be members of the same political party. The governor, with 316
the advice and consent of the senate, shall appoint three 317
members to the committee, not more than two of whom shall be 318
members of the same political party. Members shall be appointed 319
within fifteen days after the commencement of the first regular 320
session of ~~the 131st~~ each odd-numbered general assembly. 321

(B) Each member of the committee who is appointed by the 322
president of the senate or the speaker of the house of 323
representatives shall serve during that committee member's term 324
of office or until that committee member no longer is a member 325
of the senate or the house of representatives, whichever is 326
applicable. Each member of the committee who is appointed by the 327
governor shall serve a two-year term that ends on the thirty- 328
first day of December ~~in 2016~~ in the year of the second regular 329
session of the general assembly. A vacancy on the committee 330
shall be filled in the same manner as the original appointment. 331

In the first regular session of the ~~131st~~ general 332
assembly, the chairperson of the committee shall be a member of 333
the house of representatives, and the vice-chairperson of the 334
committee shall be a member of the senate. In the second regular 335
session of the ~~131st~~ general assembly, the chairperson of the 336
committee shall be a member of the senate, and the vice- 337
chairperson of the committee shall be a member of the house of 338

representatives. 339

Members of the committee shall receive no compensation, 340
but shall be reimbursed for their necessary expenses incurred in 341
the performance of their official duties. 342

(C) The committee shall meet not later than thirty days 343
after the first day of the first regular session of the ~~131st~~ 344
general assembly to choose a chairperson and to commence 345
establishment of the schedule for agency review provided for in 346
section 101.85 of the Revised Code or perform other committee 347
duties under sections 101.82 to 101.87 of the Revised Code. Five 348
members of the committee ~~shall~~ constitute a quorum for the 349
conduct of committee business. 350

Sec. 101.85. (A) ~~The A~~ sunset review committee, not later 351
than sixty days after its first meeting ~~in 2015~~, shall schedule 352
for review each agency in existence on the first day of January 353
1, 2015 in the year of the first regular session of the general 354
assembly. The committee, by a unanimous vote, also may schedule 355
for review any state board or commission described in division 356
(A) (9) of section 101.82 of the Revised Code that is in 357
existence on that date, and any board or commission so scheduled 358
shall be considered an agency for purposes of sections 101.82 to 359
101.87 of the Revised Code. 360

(B) The chairperson of the committee shall send a copy of 361
the schedule for review of agencies for ~~calendar year 2015 and~~ 362
~~calendar year 2016~~ each regular session of the general assembly 363
to each of the agencies scheduled for review during that ~~year~~ 364
session and to the director of the legislative service 365
commission. The director shall publish a copy of the schedule in 366
the ~~Ohio~~ Administrative Code and in the register of Ohio ~~created~~ 367
~~under section 103.051 of the Revised Code~~. The commission shall 368

provide the committee with a list of agencies, and with a list 369
of state boards and commissions described in division (A) (9) of 370
section 101.82 of the Revised Code, in existence on the first 371
day of January 1, 2015 in the year of the first regular session 372
of the general assembly, to assist the committee in identifying 373
agencies and in exercising its duties under sections 101.82 to 374
101.87 of the Revised Code with respect to those agencies. 375

Sec. 101.86. (A) Not later than six months prior to the 376
date on which an agency ~~in existence on January 1, 2015,~~ is 377
scheduled to expire under division (A) of section 101.83 of the 378
Revised Code, the sunset review committee shall hold hearings to 379
receive the testimony of the public and of the chief executive 380
officer of each agency scheduled for review, and otherwise shall 381
consider and evaluate the usefulness, performance, and 382
effectiveness of the agency. 383

(B) Each agency that is scheduled for review shall submit 384
to the committee a report that contains all of the following 385
information: 386

(1) The agency's primary purpose and its various goals and 387
objectives; 388

(2) The agency's past and anticipated workload, the number 389
of staff required to complete that workload, and the agency's 390
total number of staff; 391

(3) The agency's past and anticipated budgets and its 392
sources of funding; 393

(4) The number of members of its governing board or other 394
governing entity and their compensation, if any. 395

(C) Each agency shall have the burden of demonstrating to 396
the committee a public need for its continued existence. In 397

determining whether an agency has demonstrated that need, the 398
committee shall consider all of the following: 399

(1) The extent to which the agency has permitted qualified 400
applicants to serve the public; 401

(2) The cost-effectiveness of the agency in terms of 402
number of employees, services rendered, and administrative costs 403
incurred, both past and present; 404

(3) The extent to which the agency has operated in the 405
public interest, and whether its operation has been impeded or 406
enhanced by existing statutes and procedures and by budgetary, 407
resource, and personnel practices; 408

(4) Whether the agency has recommended statutory changes 409
to the general assembly that would benefit the public as opposed 410
to the persons regulated by the agency, if any, and whether its 411
recommendations and other policies have been adopted and 412
implemented; 413

(5) Whether the agency has required any persons it 414
regulates to report to it the impact of agency rules and 415
decisions on the public as they affect service costs and service 416
delivery; 417

(6) Whether persons regulated by the agency, if any, have 418
been required to assess problems in their business operations 419
that affect the public; 420

(7) Whether the agency has encouraged public participation 421
in its rule-making and decision-making; 422

(8) The efficiency with which formal public complaints 423
filed with the agency have been processed to completion; 424

(9) Whether the programs or services of the agency 425

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| duplicate or overlap those of other agencies; | 426 |
| (10) Whether the purpose for which the agency was created | 427 |
| has been fulfilled, has changed, or no longer exists; | 428 |
| (11) Whether federal law requires that the agency be | 429 |
| renewed in some form; | 430 |
| (12) Changes needed in the enabling laws of the agency in | 431 |
| order for it to comply with the criteria suggested by the | 432 |
| considerations listed in divisions (C)(1) to (11) of this | 433 |
| section. | 434 |
| (D) In its initial review of each agency, the committee, | 435 |
| whenever possible, shall realign agency titles to conform to the | 436 |
| following descriptions: | 437 |
| (1) Commission: an administrative appeals or hearing | 438 |
| agency; | 439 |
| (2) Authority: an agency empowered to issue bonds or | 440 |
| notes; | 441 |
| (3) Board: an agency having a licensing function only; | 442 |
| (4) Council: an advisory body to a major agency or | 443 |
| department; | 444 |
| (5) Committee: an advisory body to a minor agency or | 445 |
| department. | 446 |
| Sec. 101.87. (A) After the completion of the evaluation of | 447 |
| all agencies under section 101.86 of the Revised Code, the | 448 |
| sunset review committee shall prepare and publish a report of | 449 |
| its findings and recommendations. The committee shall furnish a | 450 |
| copy of the report to the president of the senate, the speaker | 451 |
| of the house of representatives, the governor, and each affected | 452 |

agency. The report shall be made available to the public in the 453
offices of the house of representatives and senate clerks during 454
reasonable hours. As part of the report, the committee shall 455
recommend to the general assembly, in bill form, one or more of 456
the following: 457

(1) Amendment or repeal of the statutes that created and 458
empowered an agency, to abolish or terminate the agency; 459

(2) Amendment or repeal of the statutes that created and 460
empowered an agency, or enactment of new statutes, to terminate 461
the agency, to transfer the agency, or to improve the agency's 462
usefulness, performance, or effectiveness; 463

(3) Amendment or repeal of the statutes that created and 464
empowered two or more agencies, or enactment of new statutes, to 465
reorganize or transfer them and thereby improve agency 466
usefulness, performance, or effectiveness; 467

(4) Amendment or continuation of the statutes that created 468
and empowered an agency, or enactment of new statutes, to renew 469
the agency. 470

(B) Recommendations made by the committee shall indicate 471
how or whether their implementation will do each of the 472
following: 473

(1) Promote economy in the operation of state government; 474

(2) Improve efficiency in the management of state 475
government; 476

(3) Improve services rendered to citizens of the state; 477

(4) Simplify and improve preparation of the state budget; 478

(5) Conserve the natural resources of the state; 479

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| (6) Promote the orderly growth of the state and its government; | 480 481 |
| (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; | 482 483 484 485 |
| (8) Avoid duplication of effort by state agencies; | 486 |
| (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. | 487 488 489 |
| (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. | 490 491 492 493 494 495 |
| <u>(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.</u> | 496 497 498 499 |
| 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. | 500 501 502 503 504 505 |
| (B) There is hereby established within the office of the governor the governor's office of faith-based and community initiatives. The office shall: | 506 507 508 |

(1) Serve as a clearinghouse of information on federal, 509
state, and local funding for charitable services performed by 510
organizations; 511

(2) Encourage organizations to seek public funding for 512
their charitable services; 513

(3) Assist local, state, and federal agencies in 514
coordinating their activities to secure maximum use of funds and 515
efforts that benefit people receiving charitable services from 516
organizations; 517

(4) Advise the governor, general assembly, and the 518
advisory board of the governor's office of faith-based and 519
community initiatives on the barriers that exist to 520
collaboration between organizations and governmental entities 521
and on ways to remove the barriers. 522

(C) The governor shall appoint an executive director and 523
such other staff as may be necessary to manage the office and 524
perform or oversee the performance of the duties of the office. 525
Within sixty days after being appointed, and every twelve months 526
thereafter, the executive director shall distribute to the 527
advisory board and review with the board a strategic plan. The 528
executive director shall report to the board at least quarterly 529
on proposed initiatives and policies. A report shall include the 530
condition of the budget and the finances of the office. 531

(D) (1) There is hereby created the advisory board of the 532
governor's office of faith-based and community initiatives. The 533
board shall consist of the following members: 534

~~(a) The directors of aging, rehabilitation and correction, 535~~
~~health, job and family services, developmental disabilities, 536~~
~~mental health and addiction services, and youth services, or 537~~

~~their designees. Four individuals appointed by the governor;~~ 538

(b) ~~The speaker of the house of representatives shall~~ 539
~~appoint to the board two members. One member of the house of~~ 540
~~representatives, not more than one of whom shall be from the~~ 541
~~same political party and at least one of whom shall be from the~~ 542
~~legislative black caucus.~~ 543

~~The president of the senate shall appoint to the board two~~ 544
~~members appointed by the speaker of the house of~~ 545
~~representatives;~~ 546

~~(c) One member of the senate, not more than one of whom~~ 547
~~shall be from the same political party.~~ 548

~~(c) The governor, the appointed by the president of the~~ 549
~~senate;~~ 550

~~(d) Two individuals to represent the faith-based and other~~ 551
~~nonprofit community, one appointed by the speaker of the house~~ 552
~~of representatives, and one appointed by the president of the~~ 553
~~senate shall each appoint to the board three representatives of~~ 554
~~the nonprofit, faith based and other nonprofit community.~~ 555

(2) Terms of the office shall be one year. Any vacancy 556
that occurs on the board shall be filled in the same manner as 557
the original appointment. 558

(3) Members of the board are not entitled to compensation, 559
but ~~the~~ public members appointed by the governor, the speaker of 560
the house of representatives, and the president of the senate 561
~~who are representatives of the nonprofit, faith based and other~~ 562
~~nonprofit community~~ shall be reimbursed for their actual and 563
necessary expenses that are incurred in relation to board 564
meetings. 565

(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. 595

Sec. 109.71. There is hereby created in the office of the 596
attorney general the Ohio peace officer training commission. The 597
commission shall consist of nine members appointed by the 598
governor with the advice and consent of the senate and selected 599
as follows: one member representing the public; two members who 600
are incumbent sheriffs; two members who are incumbent chiefs of 601
police; one member from the bureau of criminal identification 602
and investigation; one member from the state highway patrol; one 603
member who is the special agent in charge of a field office of 604
the federal bureau of investigation in this state; and one 605
member from the department of education, trade and industrial 606
education services, law enforcement training. 607

This section does not confer any arrest authority or any 608
ability or authority to detain a person, write or issue any 609
citation, or provide any disposition alternative, as granted 610
under Chapter 2935. of the Revised Code. 611

Pursuant to division (A) (9) of section 101.82 of the 612
Revised Code, the commission is exempt from the requirements of 613
sections 101.82 to 101.87 of the Revised Code. 614

As used in sections 109.71 to 109.801 of the Revised Code: 615

(A) "Peace officer" means: 616

(1) A deputy sheriff, marshal, deputy marshal, member of 617
the organized police department of a township or municipal 618
corporation, member of a township police district or joint 619
police district police force, member of a police force employed 620
by a metropolitan housing authority under division (D) of 621
section 3735.31 of the Revised Code, or township constable, who 622
is commissioned and employed as a peace officer by a political 623

subdivision of this state or by a metropolitan housing 624
authority, and whose primary duties are to preserve the peace, 625
to protect life and property, and to enforce the laws of this 626
state, ordinances of a municipal corporation, resolutions of a 627
township, or regulations of a board of county commissioners or 628
board of township trustees, or any of those laws, ordinances, 629
resolutions, or regulations; 630

(2) A police officer who is employed by a railroad company 631
and appointed and commissioned by the secretary of state 632
pursuant to sections 4973.17 to 4973.22 of the Revised Code; 633

(3) Employees of the department of taxation engaged in the 634
enforcement of Chapter 5743. of the Revised Code and designated 635
by the tax commissioner for peace officer training for purposes 636
of the delegation of investigation powers under section 5743.45 637
of the Revised Code; 638

(4) An undercover drug agent; 639

(5) Enforcement agents of the department of public safety 640
whom the director of public safety designates under section 641
5502.14 of the Revised Code; 642

(6) An employee of the department of natural resources who 643
is a natural resources law enforcement staff officer designated 644
pursuant to section 1501.013, a natural resources officer 645
appointed pursuant to section 1501.24, a forest-fire 646
investigator appointed pursuant to section 1503.09, or a 647
wildlife officer designated pursuant to section 1531.13 of the 648
Revised Code; 649

(7) An employee of a park district who is designated 650
pursuant to section 511.232 or 1545.13 of the Revised Code; 651

(8) An employee of a conservancy district who is 652

| | |
|--|-----|
| designated pursuant to section 6101.75 of the Revised Code; | 653 |
| (9) A police officer who is employed by a hospital that | 654 |
| employs and maintains its own proprietary police department or | 655 |
| security department, and who is appointed and commissioned by | 656 |
| the secretary of state pursuant to sections 4973.17 to 4973.22 | 657 |
| of the Revised Code; | 658 |
| (10) Veterans' homes police officers designated under | 659 |
| section 5907.02 of the Revised Code; | 660 |
| (11) A police officer who is employed by a qualified | 661 |
| nonprofit corporation police department pursuant to section | 662 |
| 1702.80 of the Revised Code; | 663 |
| (12) A state university law enforcement officer appointed | 664 |
| under section 3345.04 of the Revised Code or a person serving as | 665 |
| a state university law enforcement officer on a permanent basis | 666 |
| on June 19, 1978, who has been awarded a certificate by the | 667 |
| executive director of the Ohio peace officer training commission | 668 |
| attesting to the person's satisfactory completion of an approved | 669 |
| state, county, municipal, or department of natural resources | 670 |
| peace officer basic training program; | 671 |
| (13) A special police officer employed by the department | 672 |
| of mental health and addiction services pursuant to section | 673 |
| 5119.08 of the Revised Code or the department of developmental | 674 |
| disabilities pursuant to section 5123.13 of the Revised Code; | 675 |
| (14) A member of a campus police department appointed | 676 |
| under section 1713.50 of the Revised Code; | 677 |
| (15) A member of a police force employed by a regional | 678 |
| transit authority under division (Y) of section 306.35 of the | 679 |
| Revised Code; | 680 |

(16) Investigators appointed by the auditor of state 681
pursuant to section 117.091 of the Revised Code and engaged in 682
the enforcement of Chapter 117. of the Revised Code; 683

(17) A special police officer designated by the 684
superintendent of the state highway patrol pursuant to section 685
5503.09 of the Revised Code or a person who was serving as a 686
special police officer pursuant to that section on a permanent 687
basis on October 21, 1997, and who has been awarded a 688
certificate by the executive director of the Ohio peace officer 689
training commission attesting to the person's satisfactory 690
completion of an approved state, county, municipal, or 691
department of natural resources peace officer basic training 692
program; 693

(18) A special police officer employed by a port authority 694
under section 4582.04 or 4582.28 of the Revised Code or a person 695
serving as a special police officer employed by a port authority 696
on a permanent basis on May 17, 2000, who has been awarded a 697
certificate by the executive director of the Ohio peace officer 698
training commission attesting to the person's satisfactory 699
completion of an approved state, county, municipal, or 700
department of natural resources peace officer basic training 701
program; 702

(19) A special police officer employed by a municipal 703
corporation who has been awarded a certificate by the executive 704
director of the Ohio peace officer training commission for 705
satisfactory completion of an approved peace officer basic 706
training program and who is employed on a permanent basis on or 707
after March 19, 2003, at a municipal airport, or other municipal 708
air navigation facility, that has scheduled operations, as 709
defined in section 119.3 of Title 14 of the Code of Federal 710

Regulations, 14 C.F.R. 119.3, as amended, and that is required 711
to be under a security program and is governed by aviation 712
security rules of the transportation security administration of 713
the United States department of transportation as provided in 714
Parts 1542. and 1544. of Title 49 of the Code of Federal 715
Regulations, as amended; 716

(20) A police officer who is employed by an owner or 717
operator of an amusement park that has an average yearly 718
attendance in excess of six hundred thousand guests and that 719
employs and maintains its own proprietary police department or 720
security department, and who is appointed and commissioned by a 721
judge of the appropriate municipal court or county court 722
pursuant to section 4973.17 of the Revised Code; 723

(21) A police officer who is employed by a bank, savings 724
and loan association, savings bank, credit union, or association 725
of banks, savings and loan associations, savings banks, or 726
credit unions, who has been appointed and commissioned by the 727
secretary of state pursuant to sections 4973.17 to 4973.22 of 728
the Revised Code, and who has been awarded a certificate by the 729
executive director of the Ohio peace officer training commission 730
attesting to the person's satisfactory completion of a state, 731
county, municipal, or department of natural resources peace 732
officer basic training program; 733

(22) An investigator, as defined in section 109.541 of the 734
Revised Code, of the bureau of criminal identification and 735
investigation who is commissioned by the superintendent of the 736
bureau as a special agent for the purpose of assisting law 737
enforcement officers or providing emergency assistance to peace 738
officers pursuant to authority granted under that section; 739

(23) A state fire marshal law enforcement officer 740

appointed under section 3737.22 of the Revised Code or a person 741
serving as a state fire marshal law enforcement officer on a 742
permanent basis on or after July 1, 1982, who has been awarded a 743
certificate by the executive director of the Ohio peace officer 744
training commission attesting to the person's satisfactory 745
completion of an approved state, county, municipal, or 746
department of natural resources peace officer basic training 747
program; 748

(24) A gaming agent employed under section 3772.03 of the 749
Revised Code. 750

(B) "Undercover drug agent" has the same meaning as in 751
division (B) (2) of section 109.79 of the Revised Code. 752

(C) "Crisis intervention training" means training in the 753
use of interpersonal and communication skills to most 754
effectively and sensitively interview victims of rape. 755

(D) "Missing children" has the same meaning as in section 756
2901.30 of the Revised Code. 757

Sec. 135.143. (A) The treasurer of state may invest or 758
execute transactions for any part or all of the interim funds of 759
the state in the following classifications of obligations: 760

(1) United States treasury bills, notes, bonds, or any 761
other obligations or securities issued by the United States 762
treasury or any other obligation guaranteed as to principal and 763
interest by the United States; 764

(2) Bonds, notes, debentures, or any other obligations or 765
securities issued by any federal government agency or 766
instrumentality; 767

(3) (a) Bonds, notes, and other obligations of the state of 768

Ohio, including, but not limited to, any obligations issued by 769
the treasurer of state, the Ohio public facilities commission, 770
the Ohio building authority, the Ohio housing finance agency, 771
the Ohio water development authority, and the Ohio turnpike 772
infrastructure commission; 773

(b) Bonds, notes, and other obligations of any state or 774
political subdivision thereof rated in the three highest 775
categories by at least one nationally recognized standard rating 776
service and purchased through a registered securities broker or 777
dealer, provided the treasurer of state is not the sole 778
purchaser of the bonds, notes, or other obligations at original 779
issuance. 780

(4) (a) Written repurchase agreements with any eligible 781
Ohio financial institution that is a member of the federal 782
reserve system or federal home loan bank, or any registered 783
United States government securities dealer, under the terms of 784
which agreement the treasurer of state purchases and the 785
eligible financial institution or dealer agrees unconditionally 786
to repurchase any of the securities that are listed in division 787
(A) (1), (2), or (6) of this section. The market value of 788
securities subject to these transactions must exceed the 789
principal value of the repurchase agreement by an amount 790
specified by the treasurer of state, and the securities must be 791
delivered into the custody of the treasurer of state or the 792
qualified trustee or agent designated by the treasurer of state. 793
The agreement shall contain the requirement that for each 794
transaction pursuant to the agreement, the participating 795
institution or dealer shall provide all of the following 796
information: 797

(i) The par value of the securities; 798

| | |
|--|--|
| (ii) The type, rate, and maturity date of the securities; | 799 |
| (iii) A numerical identifier generally accepted in the securities industry that designates the securities. | 800 801 |
| (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. | 802 803 804 805 806 807 |
| (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. | 808 809 810 811 812 813 814 815 |
| 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. | 816 817 818 819 820 821 |
| (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 | 822 823 824 825 826 827 |

the state's total average portfolio, as determined and 828
calculated by the treasurer of state; 829

(7) Bankers acceptances, maturing in two hundred seventy 830
days or less, provided that the total amount invested in bankers 831
acceptances at any time shall not exceed ten per cent of the 832
state's total average portfolio, as determined and calculated by 833
the treasurer of state; 834

(8) Certificates of deposit in eligible institutions 835
applying for interim moneys as provided in section 135.08 of the 836
Revised Code, including linked deposits as provided in sections 837
135.61 to 135.67 of the Revised Code, agricultural linked 838
deposits as provided in sections 135.71 to 135.76 of the Revised 839
Code, and housing linked deposits as provided in sections 135.81 840
to 135.87 of the Revised Code; 841

(9) The state treasurer's investment pool authorized under 842
section 135.45 of the Revised Code; 843

(10) Debt interests, other than commercial paper described 844
in division (A) (6) of this section, rated in the three highest 845
categories by two nationally recognized standard rating services 846
and issued by entities that are organized under the laws of the 847
United States or a state, or issued by foreign nations 848
diplomatically recognized by the United States government, or 849
any instrument based on, derived from, or related to such 850
interests, provided that: 851

(a) The investments in debt interests other than 852
commercial paper shall not exceed in the aggregate twenty-five 853
per cent of the state's portfolio. 854

(b) The investments in debt interests issued by foreign 855
nations shall not exceed in the aggregate one per cent of the 856

state's portfolio. 857

The treasurer of state shall invest under division (A) (10) 858
of this section in a debt interest issued by a foreign nation 859
only if the debt interest is backed by the full faith and credit 860
of that foreign nation, and provided that all interest and 861
principal shall be denominated and payable in United States 862
funds. 863

(c) When added to the investment in commercial paper, the 864
investments in the debt interests of a single issuer shall not 865
exceed in the aggregate five per cent of the state's portfolio. 866

(d) For purposes of division (A) (10) of this section, a 867
debt interest is rated in the three highest categories by two 868
nationally recognized standard rating services if either the 869
debt interest itself or the issuer of the debt interest is 870
rated, or is implicitly rated, in the three highest categories 871
by two nationally recognized standard rating services. 872

(e) For purposes of division (A) (10) of this section, the 873
"state's portfolio" means the state's total average portfolio, 874
as determined and calculated by the treasurer of state. 875

(11) No-load money market mutual funds rated in the 876
highest category by one nationally recognized standard rating 877
service or consisting exclusively of obligations described in 878
division (A) (1), (2), or (6) of this section and repurchase 879
agreements secured by such obligations. 880

(12) Obligations issued by, or on behalf of a, an Ohio 881
political subdivision ~~issued~~ under Chapter 133. of the Revised 882
Code or Section 12 of Article XVIII, Ohio Constitution, and 883
identified in an agreement described in division (G) of this 884
section. 885

(B) Whenever, during a period of designation, the 886
treasurer of state classifies public moneys as interim moneys, 887
the treasurer of state shall notify the state board of deposit 888
of such action. The notification shall be given within thirty 889
days after such classification and, in the event the state board 890
of deposit does not concur in such classification or in the 891
investments or deposits made under this section, the board may 892
order the treasurer of state to sell or liquidate any of the 893
investments or deposits, and any such order shall specifically 894
describe the investments or deposits and fix the date upon which 895
they are to be sold or liquidated. Investments or deposits so 896
ordered to be sold or liquidated shall be sold or liquidated for 897
cash by the treasurer of state on the date fixed in such order 898
at the then current market price. Neither the treasurer of state 899
nor the members of the state board of deposit shall be held 900
accountable for any loss occasioned by sales or liquidations of 901
investments or deposits at prices lower than their cost. Any 902
loss or expense incurred in making these sales or liquidations 903
is payable as other expenses of the treasurer's office. 904

(C) If any securities or obligations invested in by the 905
treasurer of state pursuant to this section are registrable 906
either as to principal or interest, or both, such securities or 907
obligations shall be registered in the name of the treasurer of 908
state. 909

(D) The treasurer of state is responsible for the 910
safekeeping of all securities or obligations under this section. 911
Any such securities or obligations may be deposited for 912
safekeeping as provided in section 113.05 of the Revised Code. 913

(E) Interest earned on any investments or deposits 914
authorized by this section shall be collected by the treasurer 915

of state and credited by the treasurer of state to the proper 916
fund of the state. 917

(F) Whenever investments or deposits acquired under this 918
section mature and become due and payable, the treasurer of 919
state shall present them for payment according to their tenor, 920
and shall collect the moneys payable thereon. The moneys so 921
collected shall be treated as public moneys subject to sections 922
135.01 to 135.21 of the Revised Code. 923

(G) The treasurer of state and any ~~political subdivision~~ 924
entity issuing obligations referred to in division (A) (12) of 925
this section, which obligations mature within one year from the 926
original date of issuance, may enter into an agreement providing 927
for: 928

(1) The purchase of those obligations by the treasurer of 929
state on terms and subject to conditions set forth in the 930
agreement; 931

(2) The payment ~~by the political subdivision~~ to the 932
treasurer of state of a reasonable fee as consideration for the 933
agreement of the treasurer of state to purchase those 934
obligations; provided, however, that the treasurer of state 935
shall not be authorized to enter into any such agreement with a 936
board of education of a school district that has an outstanding 937
obligation with respect to a loan received under authority of 938
section 3313.483 of the Revised Code. 939

(H) For purposes of division (G) of this section, a fee 940
shall not be considered reasonable unless it is set to recover 941
only the direct costs, a reasonable estimate of the indirect 942
costs associated with the purchasing of obligations ~~of a~~ 943
~~political subdivision~~ under division (G) of this section and any 944

reselling of the obligations or any interest in the obligations, 945
including interests in a fund comprised of the obligations, and 946
the administration thereof. No money from the general revenue 947
fund shall be used to subsidize the purchase or resale of these 948
obligations. 949

(I) All money collected by the treasurer of state from the 950
fee imposed by division (G) of this section shall be deposited 951
to the credit of the state political subdivision obligations 952
fund, which is hereby created in the state treasury. Money 953
credited to the fund shall be used solely to pay the treasurer 954
of state's direct and indirect costs associated with purchasing 955
and reselling obligations ~~of a political subdivision~~ under 956
division (G) of this section. 957

(J) As used in this section, "political subdivision" means 958
a county, township, municipal corporation, ~~or school district,~~ 959
or other body corporate and politic responsible for governmental 960
activities in a geographic area smaller than that of the state. 961

Sec. 149.301. (A) There is hereby created the Ohio 962
historic site preservation advisory board, to consist of 963
seventeen members appointed by the governor with the advice and 964
consent of the senate. Terms of office shall be for three years, 965
commencing on the fifteenth day of January and ending on the 966
fourteenth day of January. Each member shall hold office from 967
the date of the member's appointment until the end of the term 968
for which the member was appointed. Vacancies shall be filled by 969
appointments by the governor with the advice and consent of the 970
senate. Any member appointed to fill a vacancy occurring prior 971
to the expiration of the term for which the member's predecessor 972
was appointed shall hold office for the remainder of such term. 973
Any member shall continue in office subsequent to the expiration 974

date of the member's term until the member's successor takes 975
office, or until a period of sixty days has elapsed, whichever 976
occurs first. 977

(B) The members of the advisory board shall include, but 978
shall not be limited to, at least one individual chosen from 979
each of the following groups: 980

(1) Historians; 981

(2) Archaeologists; 982

(3) Architectural historians; 983

(4) Architects; 984

(5) Historical architects; 985

(6) American Indians. 986

(C) The advisory board may include, but shall not be 987
limited to, individuals chosen from the following organizations 988
and fields: 989

(1) Professional planners; 990

~~(2) Recreation and resources council;~~ 991

~~(3) Ohio travel council;~~ 992

~~(4)~~ (3) Department of administrative services; 993

~~(5)~~ (4) Ohio arts council; 994

~~(6)~~ (5) Ohio archaeological council; 995

~~(7)~~ (6) Patriotic and veterans' organizations; 996

~~(8)~~ (7) Local historical societies; 997

~~(9)~~ (8) Department of natural resources; 998

| | |
|---|------|
| (10) <u>(9)</u> Professional engineers; | 999 |
| (11) <u>(10)</u> Attorneys at law. | 1000 |
| The advisory board shall assist the Ohio history | 1001 |
| connection with its site preservation program, suggest | 1002 |
| legislation necessary to the Ohio history connection's | 1003 |
| preservation program including the location, designation, | 1004 |
| restoration, preservation, and maintenance of state historic and | 1005 |
| archaeological sites and artifacts, and shall encourage the | 1006 |
| designation of suitable sites on the national register of | 1007 |
| historic places and under related federal programs. The advisory | 1008 |
| board shall provide general advice, guidance, and professional | 1009 |
| recommendations to the state historic preservation officer in | 1010 |
| conducting the comprehensive statewide survey, preparing the | 1011 |
| state historic preservation plan, and carrying out the other | 1012 |
| duties and responsibilities of the state historic preservation | 1013 |
| office. Members of the advisory board shall serve without | 1014 |
| compensation. | 1015 |
| A majority of the members of the advisory board shall be | 1016 |
| recognized professionals in the disciplines of history, | 1017 |
| archaeology, architectural history, architecture, and historical | 1018 |
| architecture. | 1019 |
| Sec. 149.302. (A) The Ohio history connection, in addition | 1020 |
| to its other functions, shall establish a museum in the vicinity | 1021 |
| of Wilberforce to be known as the national museum of Afro- | 1022 |
| American history and culture. For this purpose the Ohio history | 1023 |
| connection may accept donations of money, property, and personal | 1024 |
| services, apply for and receive federal assistance, acquire real | 1025 |
| property or any estate, right, or interest therein, construct | 1026 |
| buildings, access roads, parking areas, and other appropriate | 1027 |
| facilities for museum visitors, and exercise any powers | 1028 |

incidental to such purpose. ~~The Ohio history connection shall~~ 1029
~~establish the museum in consultation with the national museum of~~ 1030
~~Afro-American history and culture planning committee established~~ 1031
~~in section 149.303 of the Revised Code. The Ohio history~~ 1032
~~connection shall consult with the committee before selecting a~~ 1033
~~museum site and before acquiring or accepting any real property~~ 1034
~~for such purpose. It shall consult with the committee on the~~ 1035
~~design, plans, and specifications for the construction or~~ 1036
~~modification of any buildings and other museum visitation~~ 1037
~~facilities. The Ohio history connection, in cooperation and~~ 1038
~~consultation with the committee, shall establish an acquisition~~ 1039
policy for the museum. 1040

Donations of money received under this section shall be 1041
placed in a separate fund within the accounts of the Ohio 1042
history connection to be used solely for the necessary expenses 1043
of the Ohio history connection incurred in the performance of 1044
its duties under this section. 1045

(B) After the Ohio history connection establishes the 1046
national museum of Afro-American history and culture, the Ohio 1047
history connection shall convey title to the museum and its 1048
contents to a private, nonprofit organization which shall 1049
operate and maintain the museum. The Ohio history connection 1050
shall determine the conditions of the conveyance, ~~and the~~ 1051
~~conveyance and the conditions of the conveyance are subject to~~ 1052
~~approval by the national museum of Afro-American history and~~ 1053
~~culture planning committee. The Ohio history connection shall~~ 1054
operate and maintain the museum until the museum and its 1055
contents are conveyed as provided in this section. Any 1056
historical items or artifacts donated to the Ohio history 1057
connection, or to the private, nonprofit organization to which 1058
the Ohio history connection has conveyed the museum and its 1059

contents, for placement in the museum, shall remain at the 1060
museum as part of its permanent collection. ~~The organization to~~ 1061
~~which the Ohio history connection has conveyed the museum and~~ 1062
~~its contents shall consult with the committee concerning the~~ 1063
~~operation and maintenance of the museum.~~ 1064

(C) Any instrument by which real property is acquired 1065
pursuant to this section shall identify the agency of the state 1066
that has the use and benefit of the real property as specified 1067
in section 5301.012 of the Revised Code. 1068

Sec. 149.43. (A) As used in this section: 1069

(1) "Public record" means records kept by any public 1070
office, including, but not limited to, state, county, city, 1071
village, township, and school district units, and records 1072
pertaining to the delivery of educational services by an 1073
alternative school in this state kept by the nonprofit or for- 1074
profit entity operating the alternative school pursuant to 1075
section 3313.533 of the Revised Code. "Public record" does not 1076
mean any of the following: 1077

(a) Medical records; 1078

(b) Records pertaining to probation and parole proceedings 1079
or to proceedings related to the imposition of community control 1080
sanctions and post-release control sanctions; 1081

(c) Records pertaining to actions under section 2151.85 1082
and division (C) of section 2919.121 of the Revised Code and to 1083
appeals of actions arising under those sections; 1084

(d) Records pertaining to adoption proceedings, including 1085
the contents of an adoption file maintained by the department of 1086
health under sections 3705.12 to 3705.124 of the Revised Code; 1087

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| (e) Information in a record contained in the putative | 1088 |
| father registry established by section 3107.062 of the Revised | 1089 |
| Code, regardless of whether the information is held by the | 1090 |
| department of job and family services or, pursuant to section | 1091 |
| 3111.69 of the Revised Code, the office of child support in the | 1092 |
| department or a child support enforcement agency; | 1093 |
| (f) Records specified in division (A) of section 3107.52 | 1094 |
| of the Revised Code; | 1095 |
| (g) Trial preparation records; | 1096 |
| (h) Confidential law enforcement investigatory records; | 1097 |
| (i) Records containing information that is confidential | 1098 |
| under section 2710.03 or 4112.05 of the Revised Code; | 1099 |
| (j) DNA records stored in the DNA database pursuant to | 1100 |
| section 109.573 of the Revised Code; | 1101 |
| (k) Inmate records released by the department of | 1102 |
| rehabilitation and correction to the department of youth | 1103 |
| services or a court of record pursuant to division (E) of | 1104 |
| section 5120.21 of the Revised Code; | 1105 |
| (l) Records maintained by the department of youth services | 1106 |
| pertaining to children in its custody released by the department | 1107 |
| of youth services to the department of rehabilitation and | 1108 |
| correction pursuant to section 5139.05 of the Revised Code; | 1109 |
| (m) Intellectual property records; | 1110 |
| (n) Donor profile records; | 1111 |
| (o) Records maintained by the department of job and family | 1112 |
| services pursuant to section 3121.894 of the Revised Code; | 1113 |
| (p) Peace officer, parole officer, probation officer, | 1114 |

bailiff, prosecuting attorney, assistant prosecuting attorney, 1115
correctional employee, community-based correctional facility 1116
employee, youth services employee, firefighter, EMT, 1117
investigator of the bureau of criminal identification and 1118
investigation, or federal law enforcement officer residential 1119
and familial information; 1120

(q) In the case of a county hospital operated pursuant to 1121
Chapter 339. of the Revised Code or a municipal hospital 1122
operated pursuant to Chapter 749. of the Revised Code, 1123
information that constitutes a trade secret, as defined in 1124
section 1333.61 of the Revised Code; 1125

(r) Information pertaining to the recreational activities 1126
of a person under the age of eighteen; 1127

(s) In the case of a child fatality review board acting 1128
under sections 307.621 to 307.629 of the Revised Code or a 1129
review conducted pursuant to guidelines established by the 1130
director of health under section 3701.70 of the Revised Code, 1131
records provided to the board or director, statements made by 1132
board members during meetings of the board or by persons 1133
participating in the director's review, and all work products of 1134
the board or director, and in the case of a child fatality 1135
review board, child fatality review data submitted by the board 1136
to the department of health or a national child death review 1137
database, other than the report prepared pursuant to division 1138
(A) of section 307.626 of the Revised Code; 1139

(t) Records provided to and statements made by the 1140
executive director of a public children services agency or a 1141
prosecuting attorney acting pursuant to section 5153.171 of the 1142
Revised Code other than the information released under that 1143
section; 1144

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| (u) Test materials, examinations, or evaluation tools used | 1145 |
| in an examination for licensure as a nursing home administrator | 1146 |
| that the board of executives of long-term services and supports | 1147 |
| administers under section 4751.04 of the Revised Code or | 1148 |
| contracts under that section with a private or government entity | 1149 |
| to administer; | 1150 |
| (v) Records the release of which is prohibited by state or | 1151 |
| federal law; | 1152 |
| (w) Proprietary information of or relating to any person | 1153 |
| that is submitted to or compiled by the Ohio venture capital | 1154 |
| authority created under section 150.01 of the Revised Code; | 1155 |
| (x) Financial statements and data any person submits for | 1156 |
| any purpose to the Ohio housing finance agency or the | 1157 |
| controlling board in connection with applying for, receiving, or | 1158 |
| accounting for financial assistance from the agency, and | 1159 |
| information that identifies any individual who benefits directly | 1160 |
| or indirectly from financial assistance from the agency; | 1161 |
| (y) Records listed in section 5101.29 of the Revised Code; | 1162 |
| (z) Discharges recorded with a county recorder under | 1163 |
| section 317.24 of the Revised Code, as specified in division (B) | 1164 |
| (2) of that section; | 1165 |
| (aa) Usage information including names and addresses of | 1166 |
| specific residential and commercial customers of a municipally | 1167 |
| owned or operated public utility; | 1168 |
| (bb) Records described in division (C) of section 187.04 | 1169 |
| of the Revised Code that are not designated to be made available | 1170 |
| to the public as provided in that division; | 1171 |
| (cc) Information and records that are made confidential, | 1172 |

privileged, and not subject to disclosure under divisions (B) 1173
and (C) of section 2949.221 of the Revised Code; 1174

(dd) Personal information, as defined in section 149.45 of 1175
the Revised Code; 1176

(ee) The confidential name, address, and other personally 1177
identifiable information of a program participant in the address 1178
confidentiality program established under sections 111.41 to 1179
111.47 of the Revised Code, including the contents of any 1180
application for absent voter's ballots, absent voter's ballot 1181
identification envelope statement of voter, or provisional 1182
ballot affirmation completed by a program participant who has a 1183
confidential voter registration record, and records or portions 1184
of records pertaining to that program that identify the number 1185
of program participants that reside within a precinct, ward, 1186
township, municipal corporation, county, or any other geographic 1187
area smaller than the state. As used in this division, 1188
"confidential address" and "program participant" have the 1189
meaning defined in section 111.41 of the Revised Code. 1190

(ff) Orders for active military service of an individual 1191
serving or with previous service in the armed forces of the 1192
United States, including a reserve component, or the Ohio 1193
organized militia, except that, such order becomes a public 1194
record on the day that is fifteen years after the published date 1195
or effective date of the call to order. 1196

(2) "Confidential law enforcement investigatory record" 1197
means any record that pertains to a law enforcement matter of a 1198
criminal, quasi-criminal, civil, or administrative nature, but 1199
only to the extent that the release of the record would create a 1200
high probability of disclosure of any of the following: 1201

(a) The identity of a suspect who has not been charged 1202
with the offense to which the record pertains, or of an 1203
information source or witness to whom confidentiality has been 1204
reasonably promised; 1205

(b) Information provided by an information source or 1206
witness to whom confidentiality has been reasonably promised, 1207
which information would reasonably tend to disclose the source's 1208
or witness's identity; 1209

(c) Specific confidential investigatory techniques or 1210
procedures or specific investigatory work product; 1211

(d) Information that would endanger the life or physical 1212
safety of law enforcement personnel, a crime victim, a witness, 1213
or a confidential information source. 1214

(3) "Medical record" means any document or combination of 1215
documents, except births, deaths, and the fact of admission to 1216
or discharge from a hospital, that pertains to the medical 1217
history, diagnosis, prognosis, or medical condition of a patient 1218
and that is generated and maintained in the process of medical 1219
treatment. 1220

(4) "Trial preparation record" means any record that 1221
contains information that is specifically compiled in reasonable 1222
anticipation of, or in defense of, a civil or criminal action or 1223
proceeding, including the independent thought processes and 1224
personal trial preparation of an attorney. 1225

(5) "Intellectual property record" means a record, other 1226
than a financial or administrative record, that is produced or 1227
collected by or for faculty or staff of a state institution of 1228
higher learning in the conduct of or as a result of study or 1229
research on an educational, commercial, scientific, artistic, 1230

technical, or scholarly issue, regardless of whether the study 1231
or research was sponsored by the institution alone or in 1232
conjunction with a governmental body or private concern, and 1233
that has not been publicly released, published, or patented. 1234

(6) "Donor profile record" means all records about donors 1235
or potential donors to a public institution of higher education 1236
except the names and reported addresses of the actual donors and 1237
the date, amount, and conditions of the actual donation. 1238

(7) "Peace officer, parole officer, probation officer, 1239
bailiff, prosecuting attorney, assistant prosecuting attorney, 1240
correctional employee, community-based correctional facility 1241
employee, youth services employee, firefighter, EMT, 1242
investigator of the bureau of criminal identification and 1243
investigation, or federal law enforcement officer residential 1244
and familial information" means any information that discloses 1245
any of the following about a peace officer, parole officer, 1246
probation officer, bailiff, prosecuting attorney, assistant 1247
prosecuting attorney, correctional employee, community-based 1248
correctional facility employee, youth services employee, 1249
firefighter, EMT, investigator of the bureau of criminal 1250
identification and investigation, or federal law enforcement 1251
officer: 1252

(a) The address of the actual personal residence of a 1253
peace officer, parole officer, probation officer, bailiff, 1254
assistant prosecuting attorney, correctional employee, 1255
community-based correctional facility employee, youth services 1256
employee, firefighter, EMT, an investigator of the bureau of 1257
criminal identification and investigation, or federal law 1258
enforcement officer, except for the state or political 1259
subdivision in which the peace officer, parole officer, 1260

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| probation officer, bailiff, assistant prosecuting attorney, | 1261 |
| correctional employee, community-based correctional facility | 1262 |
| employee, youth services employee, firefighter, EMT, | 1263 |
| investigator of the bureau of criminal identification and | 1264 |
| investigation, or federal law enforcement officer resides; | 1265 |
| (b) Information compiled from referral to or participation | 1266 |
| in an employee assistance program; | 1267 |
| (c) The social security number, the residential telephone | 1268 |
| number, any bank account, debit card, charge card, or credit | 1269 |
| card number, or the emergency telephone number of, or any | 1270 |
| medical information pertaining to, a peace officer, parole | 1271 |
| officer, probation officer, bailiff, prosecuting attorney, | 1272 |
| assistant prosecuting attorney, correctional employee, | 1273 |
| community-based correctional facility employee, youth services | 1274 |
| employee, firefighter, EMT, investigator of the bureau of | 1275 |
| criminal identification and investigation, or federal law | 1276 |
| enforcement officer; | 1277 |
| (d) The name of any beneficiary of employment benefits, | 1278 |
| including, but not limited to, life insurance benefits, provided | 1279 |
| to a peace officer, parole officer, probation officer, bailiff, | 1280 |
| prosecuting attorney, assistant prosecuting attorney, | 1281 |
| correctional employee, community-based correctional facility | 1282 |
| employee, youth services employee, firefighter, EMT, | 1283 |
| investigator of the bureau of criminal identification and | 1284 |
| investigation, or federal law enforcement officer by the peace | 1285 |
| officer's, parole officer's, probation officer's, bailiff's, | 1286 |
| prosecuting attorney's, assistant prosecuting attorney's, | 1287 |
| correctional employee's, community-based correctional facility | 1288 |
| employee's, youth services employee's, firefighter's, EMT's, | 1289 |
| investigator of the bureau of criminal identification and | 1290 |

investigation's, or federal law enforcement officer's employer; 1291

(e) The identity and amount of any charitable or 1292
employment benefit deduction made by the peace officer's, parole 1293
officer's, probation officer's, bailiff's, prosecuting 1294
attorney's, assistant prosecuting attorney's, correctional 1295
employee's, community-based correctional facility employee's, 1296
youth services employee's, firefighter's, EMT's, investigator of 1297
the bureau of criminal identification and investigation's, or 1298
federal law enforcement officer's employer from the peace 1299
officer's, parole officer's, probation officer's, bailiff's, 1300
prosecuting attorney's, assistant prosecuting attorney's, 1301
correctional employee's, community-based correctional facility 1302
employee's, youth services employee's, firefighter's, EMT's, 1303
investigator of the bureau of criminal identification and 1304
investigation's, or federal law enforcement officer's 1305
compensation unless the amount of the deduction is required by 1306
state or federal law; 1307

(f) The name, the residential address, the name of the 1308
employer, the address of the employer, the social security 1309
number, the residential telephone number, any bank account, 1310
debit card, charge card, or credit card number, or the emergency 1311
telephone number of the spouse, a former spouse, or any child of 1312
a peace officer, parole officer, probation officer, bailiff, 1313
prosecuting attorney, assistant prosecuting attorney, 1314
correctional employee, community-based correctional facility 1315
employee, youth services employee, firefighter, EMT, 1316
investigator of the bureau of criminal identification and 1317
investigation, or federal law enforcement officer; 1318

(g) A photograph of a peace officer who holds a position 1319
or has an assignment that may include undercover or plain 1320

clothes positions or assignments as determined by the peace officer's appointing authority. 1321
1322

As used in divisions (A) (7) and (B) (9) of this section, 1323
"peace officer" has the same meaning as in section 109.71 of the 1324
Revised Code and also includes the superintendent and troopers 1325
of the state highway patrol; it does not include the sheriff of 1326
a county or a supervisory employee who, in the absence of the 1327
sheriff, is authorized to stand in for, exercise the authority 1328
of, and perform the duties of the sheriff. 1329

As used in divisions (A) (7) and (B) (9) of this section, 1330
"correctional employee" means any employee of the department of 1331
rehabilitation and correction who in the course of performing 1332
the employee's job duties has or has had contact with inmates 1333
and persons under supervision. 1334

As used in divisions (A) (7) and (B) (9) of this section, 1335
"youth services employee" means any employee of the department 1336
of youth services who in the course of performing the employee's 1337
job duties has or has had contact with children committed to the 1338
custody of the department of youth services. 1339

As used in divisions (A) (7) and (B) (9) of this section, 1340
"firefighter" means any regular, paid or volunteer, member of a 1341
lawfully constituted fire department of a municipal corporation, 1342
township, fire district, or village. 1343

As used in divisions (A) (7) and (B) (9) of this section, 1344
"EMT" means EMTs-basic, EMTs-I, and paramedics that provide 1345
emergency medical services for a public emergency medical 1346
service organization. "Emergency medical service organization," 1347
"EMT-basic," "EMT-I," and "paramedic" have the same meanings as 1348
in section 4765.01 of the Revised Code. 1349

As used in divisions (A) (7) and (B) (9) of this section, 1350
"investigator of the bureau of criminal identification and 1351
investigation" has the meaning defined in section 2903.11 of the 1352
Revised Code. 1353

As used in divisions (A) (7) and (B) (9) of this section, 1354
"federal law enforcement officer" has the meaning defined in 1355
section 9.88 of the Revised Code. 1356

(8) "Information pertaining to the recreational activities 1357
of a person under the age of eighteen" means information that is 1358
kept in the ordinary course of business by a public office, that 1359
pertains to the recreational activities of a person under the 1360
age of eighteen years, and that discloses any of the following: 1361

(a) The address or telephone number of a person under the 1362
age of eighteen or the address or telephone number of that 1363
person's parent, guardian, custodian, or emergency contact 1364
person; 1365

(b) The social security number, birth date, or 1366
photographic image of a person under the age of eighteen; 1367

(c) Any medical record, history, or information pertaining 1368
to a person under the age of eighteen; 1369

(d) Any additional information sought or required about a 1370
person under the age of eighteen for the purpose of allowing 1371
that person to participate in any recreational activity 1372
conducted or sponsored by a public office or to use or obtain 1373
admission privileges to any recreational facility owned or 1374
operated by a public office. 1375

(9) "Community control sanction" has the same meaning as 1376
in section 2929.01 of the Revised Code. 1377

(10) "Post-release control sanction" has the same meaning 1378
as in section 2967.01 of the Revised Code. 1379

(11) "Redaction" means obscuring or deleting any 1380
information that is exempt from the duty to permit public 1381
inspection or copying from an item that otherwise meets the 1382
definition of a "record" in section 149.011 of the Revised Code. 1383

(12) "Designee" and "elected official" have the same 1384
meanings as in section 109.43 of the Revised Code. 1385

(B) (1) Upon request and subject to division (B) (8) of this 1386
section, all public records responsive to the request shall be 1387
promptly prepared and made available for inspection to any 1388
person at all reasonable times during regular business hours. 1389
Subject to division (B) (8) of this section, upon request, a 1390
public office or person responsible for public records shall 1391
make copies of the requested public record available at cost and 1392
within a reasonable period of time. If a public record contains 1393
information that is exempt from the duty to permit public 1394
inspection or to copy the public record, the public office or 1395
the person responsible for the public record shall make 1396
available all of the information within the public record that 1397
is not exempt. When making that public record available for 1398
public inspection or copying that public record, the public 1399
office or the person responsible for the public record shall 1400
notify the requester of any redaction or make the redaction 1401
plainly visible. A redaction shall be deemed a denial of a 1402
request to inspect or copy the redacted information, except if 1403
federal or state law authorizes or requires a public office to 1404
make the redaction. 1405

(2) To facilitate broader access to public records, a 1406
public office or the person responsible for public records shall 1407

organize and maintain public records in a manner that they can 1408
be made available for inspection or copying in accordance with 1409
division (B) of this section. A public office also shall have 1410
available a copy of its current records retention schedule at a 1411
location readily available to the public. If a requester makes 1412
an ambiguous or overly broad request or has difficulty in making 1413
a request for copies or inspection of public records under this 1414
section such that the public office or the person responsible 1415
for the requested public record cannot reasonably identify what 1416
public records are being requested, the public office or the 1417
person responsible for the requested public record may deny the 1418
request but shall provide the requester with an opportunity to 1419
revise the request by informing the requester of the manner in 1420
which records are maintained by the public office and accessed 1421
in the ordinary course of the public office's or person's 1422
duties. 1423

(3) If a request is ultimately denied, in part or in 1424
whole, the public office or the person responsible for the 1425
requested public record shall provide the requester with an 1426
explanation, including legal authority, setting forth why the 1427
request was denied. If the initial request was provided in 1428
writing, the explanation also shall be provided to the requester 1429
in writing. The explanation shall not preclude the public office 1430
or the person responsible for the requested public record from 1431
relying upon additional reasons or legal authority in defending 1432
an action commenced under division (C) of this section. 1433

(4) Unless specifically required or authorized by state or 1434
federal law or in accordance with division (B) of this section, 1435
no public office or person responsible for public records may 1436
limit or condition the availability of public records by 1437
requiring disclosure of the requester's identity or the intended 1438

use of the requested public record. Any requirement that the 1439
requester disclose the requester's identity or the intended use 1440
of the requested public record constitutes a denial of the 1441
request. 1442

(5) A public office or person responsible for public 1443
records may ask a requester to make the request in writing, may 1444
ask for the requester's identity, and may inquire about the 1445
intended use of the information requested, but may do so only 1446
after disclosing to the requester that a written request is not 1447
mandatory and that the requester may decline to reveal the 1448
requester's identity or the intended use and when a written 1449
request or disclosure of the identity or intended use would 1450
benefit the requester by enhancing the ability of the public 1451
office or person responsible for public records to identify, 1452
locate, or deliver the public records sought by the requester. 1453

(6) If any person chooses to obtain a copy of a public 1454
record in accordance with division (B) of this section, the 1455
public office or person responsible for the public record may 1456
require that person to pay in advance the cost involved in 1457
providing the copy of the public record in accordance with the 1458
choice made by the person seeking the copy under this division. 1459
The public office or the person responsible for the public 1460
record shall permit that person to choose to have the public 1461
record duplicated upon paper, upon the same medium upon which 1462
the public office or person responsible for the public record 1463
keeps it, or upon any other medium upon which the public office 1464
or person responsible for the public record determines that it 1465
reasonably can be duplicated as an integral part of the normal 1466
operations of the public office or person responsible for the 1467
public record. When the person seeking the copy makes a choice 1468
under this division, the public office or person responsible for 1469

the public record shall provide a copy of it in accordance with 1470
the choice made by the person seeking the copy. Nothing in this 1471
section requires a public office or person responsible for the 1472
public record to allow the person seeking a copy of the public 1473
record to make the copies of the public record. 1474

(7) (a) Upon a request made in accordance with division (B) 1475
of this section and subject to division (B) (6) of this section, 1476
a public office or person responsible for public records shall 1477
transmit a copy of a public record to any person by United 1478
States mail or by any other means of delivery or transmission 1479
within a reasonable period of time after receiving the request 1480
for the copy. The public office or person responsible for the 1481
public record may require the person making the request to pay 1482
in advance the cost of postage if the copy is transmitted by 1483
United States mail or the cost of delivery if the copy is 1484
transmitted other than by United States mail, and to pay in 1485
advance the costs incurred for other supplies used in the 1486
mailing, delivery, or transmission. 1487

(b) Any public office may adopt a policy and procedures 1488
that it will follow in transmitting, within a reasonable period 1489
of time after receiving a request, copies of public records by 1490
United States mail or by any other means of delivery or 1491
transmission pursuant to division (B) (7) of this section. A 1492
public office that adopts a policy and procedures under division 1493
(B) (7) of this section shall comply with them in performing its 1494
duties under that division. 1495

(c) In any policy and procedures adopted under division 1496
(B) (7) of this section: 1497

(i) A public office may limit the number of records 1498
requested by a person that the office will physically deliver by 1499

United States mail or by another delivery service to ten per 1500
month, unless the person certifies to the office in writing that 1501
the person does not intend to use or forward the requested 1502
records, or the information contained in them, for commercial 1503
purposes; 1504

(ii) A public office that chooses to provide some or all 1505
of its public records on a web site that is fully accessible to 1506
and searchable by members of the public at all times, other than 1507
during acts of God outside the public office's control or 1508
maintenance, and that charges no fee to search, access, 1509
download, or otherwise receive records provided on the web site, 1510
may limit to ten per month the number of records requested by a 1511
person that the office will deliver in a digital format, unless 1512
the requested records are not provided on the web site and 1513
unless the person certifies to the office in writing that the 1514
person does not intend to use or forward the requested records, 1515
or the information contained in them, for commercial purposes. 1516

(iii) For purposes of division (B)(7) of this section, 1517
"commercial" shall be narrowly construed and does not include 1518
reporting or gathering news, reporting or gathering information 1519
to assist citizen oversight or understanding of the operation or 1520
activities of government, or nonprofit educational research. 1521

(8) A public office or person responsible for public 1522
records is not required to permit a person who is incarcerated 1523
pursuant to a criminal conviction or a juvenile adjudication to 1524
inspect or to obtain a copy of any public record concerning a 1525
criminal investigation or prosecution or concerning what would 1526
be a criminal investigation or prosecution if the subject of the 1527
investigation or prosecution were an adult, unless the request 1528
to inspect or to obtain a copy of the record is for the purpose 1529

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 1561
prosecuting attorney's, correctional employee's, community-based 1562
correctional facility employee's, youth services employee's, 1563
firefighter's, EMT's, investigator of the bureau of criminal 1564
identification and investigation's, or federal law enforcement 1565
officer's spouse, former spouse, or child. The request shall 1566
include the journalist's name and title and the name and address 1567
of the journalist's employer and shall state that disclosure of 1568
the information sought would be in the public interest. 1569

(b) Division (B) (9) (a) of this section also applies to 1570
journalist requests for customer information maintained by a 1571
municipally owned or operated public utility, other than social 1572
security numbers and any private financial information such as 1573
credit reports, payment methods, credit card numbers, and bank 1574
account information. 1575

(c) As used in division (B) (9) of this section, 1576
"journalist" means a person engaged in, connected with, or 1577
employed by any news medium, including a newspaper, magazine, 1578
press association, news agency, or wire service, a radio or 1579
television station, or a similar medium, for the purpose of 1580
gathering, processing, transmitting, compiling, editing, or 1581
disseminating information for the general public. 1582

(C) (1) If a person allegedly is aggrieved by the failure 1583
of a public office or the person responsible for public records 1584
to promptly prepare a public record and to make it available to 1585
the person for inspection in accordance with division (B) of 1586
this section or by any other failure of a public office or the 1587
person responsible for public records to comply with an 1588
obligation in accordance with division (B) of this section, the 1589
person allegedly aggrieved may do only one of the following, and 1590

not both: 1591

(a) File a complaint with the clerk of the court of claims 1592
or the clerk of the court of common pleas under section 2743.75 1593
of the Revised Code; 1594

(b) Commence a mandamus action to obtain a judgment that 1595
orders the public office or the person responsible for the 1596
public record to comply with division (B) of this section, that 1597
awards court costs and reasonable attorney's fees to the person 1598
that instituted the mandamus action, and, if applicable, that 1599
includes an order fixing statutory damages under division (C) (2) 1600
of this section. The mandamus action may be commenced in the 1601
court of common pleas of the county in which division (B) of 1602
this section allegedly was not complied with, in the supreme 1603
court pursuant to its original jurisdiction under Section 2 of 1604
Article IV, Ohio Constitution, or in the court of appeals for 1605
the appellate district in which division (B) of this section 1606
allegedly was not complied with pursuant to its original 1607
jurisdiction under Section 3 of Article IV, Ohio Constitution. 1608

(2) If a requester transmits a written request by hand 1609
delivery or certified mail to inspect or receive copies of any 1610
public record in a manner that fairly describes the public 1611
record or class of public records to the public office or person 1612
responsible for the requested public records, except as 1613
otherwise provided in this section, the requester shall be 1614
entitled to recover the amount of statutory damages set forth in 1615
this division if a court determines that the public office or 1616
the person responsible for public records failed to comply with 1617
an obligation in accordance with division (B) of this section. 1618

The amount of statutory damages shall be fixed at one 1619
hundred dollars for each business day during which the public 1620

office or person responsible for the requested public records 1621
failed to comply with an obligation in accordance with division 1622
(B) of this section, beginning with the day on which the 1623
requester files a mandamus action to recover statutory damages, 1624
up to a maximum of one thousand dollars. The award of statutory 1625
damages shall not be construed as a penalty, but as compensation 1626
for injury arising from lost use of the requested information. 1627
The existence of this injury shall be conclusively presumed. The 1628
award of statutory damages shall be in addition to all other 1629
remedies authorized by this section. 1630

The court may reduce an award of statutory damages or not 1631
award statutory damages if the court determines both of the 1632
following: 1633

(a) That, based on the ordinary application of statutory 1634
law and case law as it existed at the time of the conduct or 1635
threatened conduct of the public office or person responsible 1636
for the requested public records that allegedly constitutes a 1637
failure to comply with an obligation in accordance with division 1638
(B) of this section and that was the basis of the mandamus 1639
action, a well-informed public office or person responsible for 1640
the requested public records reasonably would believe that the 1641
conduct or threatened conduct of the public office or person 1642
responsible for the requested public records did not constitute 1643
a failure to comply with an obligation in accordance with 1644
division (B) of this section; 1645

(b) That a well-informed public office or person 1646
responsible for the requested public records reasonably would 1647
believe that the conduct or threatened conduct of the public 1648
office or person responsible for the requested public records 1649
would serve the public policy that underlies the authority that 1650

is asserted as permitting that conduct or threatened conduct. 1651

(3) In a mandamus action filed under division (C) (1) of 1652
this section, the following apply: 1653

(a) (i) If the court orders the public office or the person 1654
responsible for the public record to comply with division (B) of 1655
this section, the court shall determine and award to the relator 1656
all court costs, which shall be construed as remedial and not 1657
punitive. 1658

(ii) If the court makes a determination described in 1659
division (C) (3) (b) (iii) of this section, the court shall 1660
determine and award to the relator all court costs, which shall 1661
be construed as remedial and not punitive. 1662

(b) If the court renders a judgment that orders the public 1663
office or the person responsible for the public record to comply 1664
with division (B) of this section or if the court determines any 1665
of the following, the court may award reasonable attorney's fees 1666
to the relator, subject to the provisions of division (C) (4) of 1667
this section: 1668

(i) The public office or the person responsible for the 1669
public records failed to respond affirmatively or negatively to 1670
the public records request in accordance with the time allowed 1671
under division (B) of this section. 1672

(ii) The public office or the person responsible for the 1673
public records promised to permit the relator to inspect or 1674
receive copies of the public records requested within a 1675
specified period of time but failed to fulfill that promise 1676
within that specified period of time. 1677

(iii) The public office or the person responsible for the 1678
public records acted in bad faith when the office or person 1679

voluntarily made the public records available to the relator for 1680
the first time after the relator commenced the mandamus action, 1681
but before the court issued any order concluding whether or not 1682
the public office or person was required to comply with division 1683
(B) of this section. No discovery may be conducted on the issue 1684
of the alleged bad faith of the public office or person 1685
responsible for the public records. This division shall not be 1686
construed as creating a presumption that the public office or 1687
the person responsible for the public records acted in bad faith 1688
when the office or person voluntarily made the public records 1689
available to the relator for the first time after the relator 1690
commenced the mandamus action, but before the court issued any 1691
order described in this division. 1692

(c) The court shall not award attorney's fees to the 1693
relator if the court determines both of the following: 1694

(i) That, based on the ordinary application of statutory 1695
law and case law as it existed at the time of the conduct or 1696
threatened conduct of the public office or person responsible 1697
for the requested public records that allegedly constitutes a 1698
failure to comply with an obligation in accordance with division 1699
(B) of this section and that was the basis of the mandamus 1700
action, a well-informed public office or person responsible for 1701
the requested public records reasonably would believe that the 1702
conduct or threatened conduct of the public office or person 1703
responsible for the requested public records did not constitute 1704
a failure to comply with an obligation in accordance with 1705
division (B) of this section; 1706

(ii) That a well-informed public office or person 1707
responsible for the requested public records reasonably would 1708
believe that the conduct or threatened conduct of the public 1709

office or person responsible for the requested public records 1710
would serve the public policy that underlies the authority that 1711
is asserted as permitting that conduct or threatened conduct. 1712

(4) All of the following apply to any award of reasonable 1713
attorney's fees awarded under division (C) (3) (b) of this 1714
section: 1715

(a) The fees shall be construed as remedial and not 1716
punitive. 1717

(b) The fees awarded shall not exceed the total of the 1718
reasonable attorney's fees incurred before the public record was 1719
made available to the relator and the fees described in division 1720
(C) (4) (c) of this section. 1721

(c) Reasonable attorney's fees shall include reasonable 1722
fees incurred to produce proof of the reasonableness and amount 1723
of the fees and to otherwise litigate entitlement to the fees. 1724

(d) The court may reduce the amount of fees awarded if the 1725
court determines that, given the factual circumstances involved 1726
with the specific public records request, an alternative means 1727
should have been pursued to more effectively and efficiently 1728
resolve the dispute that was subject to the mandamus action 1729
filed under division (C) (1) of this section. 1730

(5) If the court does not issue a writ of mandamus under 1731
division (C) of this section and the court determines at that 1732
time that the bringing of the mandamus action was frivolous 1733
conduct as defined in division (A) of section 2323.51 of the 1734
Revised Code, the court may award to the public office all court 1735
costs, expenses, and reasonable attorney's fees, as determined 1736
by the court. 1737

(D) Chapter 1347. of the Revised Code does not limit the 1738

provisions of this section. 1739

(E) (1) To ensure that all employees of public offices are 1740
appropriately educated about a public office's obligations under 1741
division (B) of this section, all elected officials or their 1742
appropriate designees shall attend training approved by the 1743
attorney general as provided in section 109.43 of the Revised 1744
Code. In addition, all public offices shall adopt a public 1745
records policy in compliance with this section for responding to 1746
public records requests. In adopting a public records policy 1747
under this division, a public office may obtain guidance from 1748
the model public records policy developed and provided to the 1749
public office by the attorney general under section 109.43 of 1750
the Revised Code. Except as otherwise provided in this section, 1751
the policy may not limit the number of public records that the 1752
public office will make available to a single person, may not 1753
limit the number of public records that it will make available 1754
during a fixed period of time, and may not establish a fixed 1755
period of time before it will respond to a request for 1756
inspection or copying of public records, unless that period is 1757
less than eight hours. 1758

(2) The public office shall distribute the public records 1759
policy adopted by the public office under division (E) (1) of 1760
this section to the employee of the public office who is the 1761
records custodian or records manager or otherwise has custody of 1762
the records of that office. The public office shall require that 1763
employee to acknowledge receipt of the copy of the public 1764
records policy. The public office shall create a poster that 1765
describes its public records policy and shall post the poster in 1766
a conspicuous place in the public office and in all locations 1767
where the public office has branch offices. The public office 1768
may post its public records policy on the internet web site of 1769

the public office if the public office maintains an internet web 1770
site. A public office that has established a manual or handbook 1771
of its general policies and procedures for all employees of the 1772
public office shall include the public records policy of the 1773
public office in the manual or handbook. 1774

(F) (1) The bureau of motor vehicles may adopt rules 1775
pursuant to Chapter 119. of the Revised Code to reasonably limit 1776
the number of bulk commercial special extraction requests made 1777
by a person for the same records or for updated records during a 1778
calendar year. The rules may include provisions for charges to 1779
be made for bulk commercial special extraction requests for the 1780
actual cost of the bureau, plus special extraction costs, plus 1781
ten per cent. The bureau may charge for expenses for redacting 1782
information, the release of which is prohibited by law. 1783

(2) As used in division (F) (1) of this section: 1784

(a) "Actual cost" means the cost of depleted supplies, 1785
records storage media costs, actual mailing and alternative 1786
delivery costs, or other transmitting costs, and any direct 1787
equipment operating and maintenance costs, including actual 1788
costs paid to private contractors for copying services. 1789

(b) "Bulk commercial special extraction request" means a 1790
request for copies of a record for information in a format other 1791
than the format already available, or information that cannot be 1792
extracted without examination of all items in a records series, 1793
class of records, or database by a person who intends to use or 1794
forward the copies for surveys, marketing, solicitation, or 1795
resale for commercial purposes. "Bulk commercial special 1796
extraction request" does not include a request by a person who 1797
gives assurance to the bureau that the person making the request 1798
does not intend to use or forward the requested copies for 1799

surveys, marketing, solicitation, or resale for commercial 1800
purposes. 1801

(c) "Commercial" means profit-seeking production, buying, 1802
or selling of any good, service, or other product. 1803

(d) "Special extraction costs" means the cost of the time 1804
spent by the lowest paid employee competent to perform the task, 1805
the actual amount paid to outside private contractors employed 1806
by the bureau, or the actual cost incurred to create computer 1807
programs to make the special extraction. "Special extraction 1808
costs" include any charges paid to a public agency for computer 1809
or records services. 1810

(3) For purposes of divisions (F) (1) and (2) of this 1811
section, "surveys, marketing, solicitation, or resale for 1812
commercial purposes" shall be narrowly construed and does not 1813
include reporting or gathering news, reporting or gathering 1814
information to assist citizen oversight or understanding of the 1815
operation or activities of government, or nonprofit educational 1816
research. 1817

(G) A request by a defendant, counsel of a defendant, or 1818
any agent of a defendant in a criminal action that public 1819
records related to that action be made available under this 1820
section shall be considered a demand for discovery pursuant to 1821
the Criminal Rules, except to the extent that the Criminal Rules 1822
plainly indicate a contrary intent. The defendant, counsel of 1823
the defendant, or agent of the defendant making a request under 1824
this division shall serve a copy of the request on the 1825
prosecuting attorney, director of law, or other chief legal 1826
officer responsible for prosecuting the action. 1827

Sec. 154.01. As used in this chapter: 1828

- (A) "Commission" means the Ohio public facilities commission created in section 151.02 of the Revised Code. 1829
1830
- (B) "Obligations" means bonds, notes, or other evidences of obligation, including interest coupons pertaining thereto, issued pursuant to Chapter 154. of the Revised Code. 1831
1832
1833
- (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. 1834
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- (D) "State agencies" means the state of Ohio and officers, boards, commissions, departments, divisions, or other units or agencies of the state. 1841
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1843
- (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. 1844
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- (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 1853
1854
1855
1856
1857

districts, university branch districts, and technical college 1858
districts at any time established or operating under Chapter 1859
3354., 3355., or 3357. of the Revised Code, and other 1860
institutions for education, including technical education, 1861
beyond the high school, receiving state support or assistance 1862
for their expenses of operation. 1863

(G) "Governing body" means: 1864

(1) In the case of institutions of higher education, the 1865
board of trustees, board of directors, commission, or other body 1866
vested by law with the general management, conduct, and control 1867
of one or more institutions of higher education; 1868

(2) In the case of a county, the board of county 1869
commissioners or other legislative body; in the case of a 1870
municipal corporation, the council or other legislative body; in 1871
the case of a township, the board of township trustees; in the 1872
case of a school district, the board of education; 1873

(3) In the case of any other governmental agency, the 1874
officer, board, commission, authority or other body having the 1875
general management thereof or having jurisdiction or authority 1876
in the particular circumstances. 1877

(H) "Person" means any person, firm, partnership, 1878
association, or corporation. 1879

(I) "Bond service charges" means principal, including 1880
mandatory sinking fund requirements for retirement of 1881
obligations, and interest, and redemption premium, if any, 1882
required to be paid by the state on obligations. If not 1883
prohibited by the applicable bond proceedings, bond service 1884
charges may include costs relating to credit enhancement 1885
facilities that are related to and represent, or are intended to 1886

provide a source of payment of or limitation on, other bond 1887
service charges. 1888

(J) "Capital facilities" means buildings, structures, and 1889
other improvements, and equipment, real estate, and interests in 1890
real estate therefor, within the state, and any one, part of, or 1891
combination of the foregoing, to serve the general purposes for 1892
which the issuing authority is authorized to issue obligations 1893
pursuant to Chapter 154. of the Revised Code, including, but not 1894
limited to, drives, roadways, parking facilities, walks, 1895
lighting, machinery, furnishings, utilities, landscaping, 1896
wharves, docks, piers, reservoirs, dams, tunnels, bridges, 1897
retaining walls, riprap, culverts, ditches, channels, 1898
watercourses, retention basins, standpipes and water storage 1899
facilities, waste treatment and disposal facilities, heating, 1900
air conditioning and communications facilities, inns, lodges, 1901
cabins, camping sites, golf courses, boat and bathing 1902
facilities, athletic and recreational facilities, and site 1903
improvements. 1904

(K) "Costs of capital facilities" means the costs of 1905
acquiring, constructing, reconstructing, rehabilitating, 1906
remodeling, renovating, enlarging, improving, equipping, or 1907
furnishing capital facilities, and the financing thereof, 1908
including the cost of clearance and preparation of the site and 1909
of any land to be used in connection with capital facilities, 1910
the cost of any indemnity and surety bonds and premiums on 1911
insurance, all related direct administrative expenses and 1912
allocable portions of direct costs of the commission or issuing 1913
authority and department of administrative services, or other 1914
designees of the commission under section 154.17 of the Revised 1915
Code, cost of engineering and architectural services, designs, 1916
plans, specifications, surveys, and estimates of cost, legal 1917

fees, fees and expenses of trustees, depositories, and paying 1918
agents for the obligations, cost of issuance of the obligations 1919
and financing charges and fees and expenses of financial 1920
advisers and consultants in connection therewith, interest on 1921
obligations, including but not limited to, interest from the 1922
date of their issuance to the time when interest is to be 1923
covered from sources other than proceeds of obligations, amounts 1924
necessary to establish reserves as required by the bond 1925
proceedings, costs of audits, the reimbursement of all moneys 1926
advanced or applied by or borrowed from any governmental agency, 1927
whether to or by the commission or others, from whatever source 1928
provided, for the payment of any item or items of cost of the 1929
capital facilities, any share of the cost undertaken by the 1930
commission pursuant to arrangements made with governmental 1931
agencies under division (H) of section 154.06 of the Revised 1932
Code, and all other expenses necessary or incident to planning 1933
or determining feasibility or practicability with respect to 1934
capital facilities, and such other expenses as may be necessary 1935
or incident to the acquisition, construction, reconstruction, 1936
rehabilitation, remodeling, renovation, enlargement, 1937
improvement, equipment, and furnishing of capital facilities, 1938
the financing thereof and the placing of the same in use and 1939
operation, including any one, part of, or combination of such 1940
classes of costs and expenses. 1941

(L) "Public service facilities" means inns, lodges, 1942
hotels, cabins, camping sites, scenic trails, picnic sites, 1943
restaurants, commissaries, golf courses, boating and bathing 1944
facilities and other similar facilities in state parks. 1945

(M) "State parks" means: 1946

(1) State reservoirs described and identified in section 1947

1546.11 of the Revised Code; 1948

(2) All lands or interests therein of the state identified 1949
as administered by the division of parks and watercraft in the 1950
"inventory of state owned lands administered by the department 1951
of natural resources as of June 1, 1963," as recorded in the 1952
journal of the director, which inventory was prepared by the 1953
real estate section of the department and is supported by maps 1954
now on file in said real estate section; 1955

(3) All lands or interests in lands of the state 1956
designated after June 1, 1963, as state parks in the journal of 1957
the director with the approval of the ~~recreation and resources~~ 1958
~~council created in section 1501.04 of the Revised Code~~ director 1959
of natural resources. 1960

State parks do not include any lands or interest in lands 1961
of the state administered jointly by two or more divisions of 1962
the department of natural resources. The designation of lands as 1963
state parks under divisions (M) (1) to (3) of this section is 1964
conclusive and such lands shall be under the control of and 1965
administered by the division of parks and watercraft. No order 1966
or proceeding designating lands as state parks or park purchase 1967
areas is subject to any appeal or review by any officer, board, 1968
commission, or court. 1969

(N) "Bond service fund" means the applicable fund created 1970
for and pledged to the payment of bond service charges under 1971
section 154.20, 154.21, 154.22, or 154.23 of the Revised Code, 1972
including all moneys and investments, and earnings from 1973
investments, credited and to be credited thereto. 1974

(O) "Improvement fund" means the applicable fund created 1975
for the payment of costs of capital facilities under section 1976

123.201, 154.20, 154.21, or 154.22 of the Revised Code, 1977
including all moneys and investments, and earnings from 1978
investments, credited and to be credited thereto. 1979

(P) "Special funds" or "funds" means, except where the 1980
context does not permit, the bond service funds, the 1981
improvements funds, and any other funds for similar or different 1982
purposes created under bond proceedings, including all moneys 1983
and investments, and earnings from investments, credited and to 1984
be credited thereto. 1985

(Q) "Year" unless the context indicates a different 1986
meaning or intent, means a calendar year beginning on the first 1987
day of January and ending on the thirty-first day of December. 1988

(R) "Fiscal year" means the period of twelve months 1989
beginning on the first day of July and ending on the thirtieth 1990
day of June. 1991

(S) "Issuing authority" means the treasurer of state or 1992
the officer or employee who by law performs the functions of 1993
that office. 1994

(T) "Credit enhancement facilities" has the same meaning 1995
as in section 133.01 of the Revised Code. 1996

(U) "Ohio cultural facility" and "Ohio sports facility" 1997
have the same meanings as in section 123.28 of the Revised Code. 1998

Sec. 154.22. (A) Subject to authorization by the general 1999
assembly under section 154.02 of the Revised Code, the issuing 2000
authority may authorize and issue obligations pursuant to this 2001
chapter to pay costs of capital facilities for parks and 2002
recreation. 2003

(B) Any capital facilities for parks and recreation may be 2004

leased by the commission to the department of natural resources 2005
and other agreements may be made by the commission and such 2006
department with respect to the use or purchase of such capital 2007
facilities or, subject to the approval of the director of such 2008
department, the commission may lease such capital facilities to, 2009
and make other agreements with respect to their use or purchase 2010
with, any governmental agency having authority under law to 2011
operate such capital facilities, and the director of such 2012
department may sublease such capital facilities to, and make 2013
other agreements with respect to the use or purchase thereof 2014
with, any such governmental agency, or such director may 2015
sublease or contract for the operation of such capital 2016
facilities in accordance with the applicable provisions of 2017
sections 1501.09, 1501.091, and 1501.10 of the Revised Code, all 2018
upon such terms and conditions as the parties may agree upon and 2019
pursuant to this chapter, notwithstanding any other provisions 2020
of law affecting the leasing, acquisition, or disposition of 2021
capital facilities by such parties. 2022

(C) For purposes of this section, "available receipts" 2023
means all receipts, including fees, charges, and rentals, 2024
derived or to be derived from state parks and public service 2025
facilities in any state park or parks, any other receipts of 2026
state agencies with respect to parks and recreational 2027
facilities, any revenues or receipts derived by the commission 2028
from the operation, leasing, or other disposition of capital 2029
facilities financed under this section, the proceeds of 2030
obligations issued under this section and sections 154.11 and 2031
154.12 of the Revised Code, and also means any gifts, grants, 2032
donations, and pledges, and receipts thereon, available for the 2033
payment of bond service charges on obligations issued under this 2034
section. The issuing authority may pledge all, or such portion 2035

as it determines, of the available receipts to the payment of 2036
bond service charges on obligations issued under this section 2037
and sections 154.11 and 154.12 of the Revised Code and for the 2038
establishment and maintenance of any reserves, as provided in 2039
the bond proceedings, and make other provisions therein with 2040
respect to such available receipts as authorized by this 2041
chapter, which provisions shall be controlling notwithstanding 2042
any other provision of law pertaining thereto. 2043

(D) The issuing authority may covenant in the bond 2044
proceeding that the state and state agencies shall, so long as 2045
any obligations issued under this section are outstanding, cause 2046
to be charged and collected fees, charges, and rentals for the 2047
use of state parks and public service facilities and other fees 2048
and charges with respect to parks and recreation sufficient in 2049
amount to provide for the payment of bond service charges on 2050
such obligations and for the establishment and maintenance of 2051
any reserves as provided in the bond proceedings, and such 2052
covenants shall be controlling notwithstanding any other 2053
provision of law pertaining to such charges except any provision 2054
of law prohibiting or limiting charges for the use of swimming 2055
facilities of state parks and public service facilities by 2056
persons under sixteen years of age. 2057

(E) There is hereby created the parks and recreation bond 2058
service trust fund, which shall be in the custody of the 2059
treasurer of state but shall be separate and apart from and not 2060
a part of the state treasury. All moneys received by or on 2061
account of the commission or issuing authority or state agencies 2062
and required by the applicable bond proceedings to be deposited, 2063
transferred, or allocated to or received for the purposes of the 2064
trust fund shall be deposited with the treasurer of state and 2065
credited to such fund, subject to applicable provisions of the 2066

bond proceedings but without necessity for any act of 2067
appropriation. The trust fund is hereby pledged to the payment 2068
of bond service charges on the obligations issued pursuant to 2069
this section and sections 154.11 and 154.12 of the Revised Code 2070
to the extent provided in the applicable bond proceedings, and 2071
payment thereof from such fund shall be made or provided for by 2072
the treasurer of state in accordance with such bond proceedings 2073
without necessity for any act of appropriation. 2074

(F) There is hereby created in the state treasury the 2075
parks and recreation improvement fund. Subject to the bond 2076
proceedings therefor, all of the proceeds of the sale of 2077
obligations issued pursuant to this section shall be credited to 2078
such fund, except that any accrued interest received shall be 2079
credited to the parks and recreation bond service trust fund. 2080
The parks and recreation improvement fund may also be comprised 2081
of gifts, grants, appropriated moneys, and other sums and 2082
securities received to the credit of such fund. Such fund shall 2083
be applied only to the purpose of paying costs of capital 2084
facilities for parks and recreation under the jurisdiction of 2085
the department of natural resources or for participation in 2086
capital facilities for parks and recreation with the federal 2087
government, municipal corporations, counties, or other 2088
governmental agencies, or any one or more of them, which 2089
participation may be by grants or contributions to them for such 2090
capital facilities. All investment earnings on the cash balance 2091
in the fund shall be credited to the fund. 2092

(G) All state parks shall be exclusively under the control 2093
and administration of the division of parks and watercraft. ~~With~~ 2094
~~the approval of the recreation and resources council created in~~ 2095
~~section 1501.04 of the Revised Code, the~~ The director of natural 2096
resources may by order remove from the classification as state 2097

2098 parks any of the lands or interests therein referred to in
2099 divisions (M) (2) and (3) of section 154.01 of the Revised Code,
2100 subject to the limitations, provisions, and conditions in any
2101 order authorizing state park revenue bonds, in any trust
2102 agreement securing such bonds, or in bond proceedings with
2103 respect to obligations issued pursuant to this section. Lands or
2104 interests therein so removed shall be transferred to other
2105 divisions of the department for administration or may be sold as
2106 provided by law. Proceeds of any sale shall be used or
2107 transferred as provided in the order authorizing state park
2108 revenue bonds or in such trust agreement, or in bond proceedings
2109 with respect to obligations issued pursuant to this section, and
2110 if no such provision is made shall be transferred to the state
2111 park fund created by section 1546.21 of the Revised Code.

2112 (H) This section shall be applied with other applicable
2113 provisions of this chapter.

2114 (I) Any instrument by which real property is acquired
2115 pursuant to this section shall identify the agency of the state
2116 that has the use and benefit of the real property as specified
2117 in section 5301.012 of the Revised Code.

2118 **Sec. 174.06.** (A) There is hereby created the housing trust
2119 fund advisory committee. The committee consists of ~~fourteen~~ the
2120 following seven members, appointed by the governor appoints as
2121 follows to represent organizations committed to housing and
2122 housing assistance for, with advice and consent of the Senate,
2123 who possess knowledge and experience with respect to the housing
2124 needs of low- and moderate-income persons:

2125 (1) One member to represent lenders-;:

2126 (2) One member to represent ~~for-profit builders and~~

| | |
|--|------|
| developers. <u>affordable housing developers;</u> | 2127 |
| (3) One member to represent the families and individuals | 2128 |
| included in the income groups targeted for housing and housing | 2129 |
| assistance under divisions (E) and (F) of section 174.03 of the | 2130 |
| Revised Code. <u>organizations working to address the housing and</u> | 2131 |
| <u>other needs of homeless Ohioans;</u> | 2132 |
| (4) One member to represent religious, civic, or social | 2133 |
| service organizations. <u>Two members to represent counties or</u> | 2134 |
| <u>other local government entities;</u> | 2135 |
| (5) One member to represent counties. | 2136 |
| (6) One member to represent municipal corporations. | 2137 |
| (7) One member to represent townships. | 2138 |
| (8) One member to represent local housing authorities. | 2139 |
| (9) One member to represent fair housing organizations. | 2140 |
| (10) Three members to represent nonprofit organizations. | 2141 |
| (11) One member to represent real estate brokers licensed | 2142 |
| under Chapter 4735. of the Revised Code. | 2143 |
| (12) One member to represent the for-profit rental housing | 2144 |
| industry. <u>(6) A county recorder.</u> | 2145 |
| (B) (1) Terms of office are for four years, with each term | 2146 |
| ending on the same day of the same month as did the term that it | 2147 |
| succeeds. Each member shall hold office from the date of | 2148 |
| appointment until the end of the term for which the member was | 2149 |
| appointed. Vacancies shall be filled in the manner prescribed | 2150 |
| for the original appointment. A member appointed to fill a | 2151 |
| vacancy occurring prior to the expiration of a term shall hold | 2152 |
| office for the remainder of that term. A member shall continue | 2153 |

in office subsequent to the expiration of a term until a 2154
successor takes office or until a period of sixty days has 2155
elapsed, whichever occurs first. 2156

(2) The governor may remove a member for misfeasance, 2157
malfeasance, or willful neglect of duty. 2158

(C) (1) The committee shall select a chairperson from among 2159
its members. The committee shall meet at least once each 2160
calendar year and upon the call of the chair. Members of the 2161
committee serve without compensation, but shall be reimbursed 2162
for reasonable and necessary expenses incurred in the discharge 2163
of duties. 2164

(2) The department of development shall provide the 2165
committee with a meeting place, supplies, and staff assistance 2166
as the committee requests. 2167

(D) The committee shall assist the department and the Ohio 2168
housing finance agency in defining housing needs and priorities, 2169
recommend to the department and agency at least annually how the 2170
programs developed under section 174.02 of the Revised Code 2171
should be designed to most effectively benefit low- and 2172
moderate-income persons, consider an allocation of funds for 2173
projects of fifteen units or less, and advise the director of 2174
development on whether and how to reallocate money in the low- 2175
and moderate-income housing trust fund under division (B) of 2176
section 174.02 of the Revised Code. 2177

Sec. 189.10. The local government innovation council shall 2178
cease to exist on December 31, ~~2019~~ 2020. 2179

Sec. 505.375. (A) (1) (a) The boards of township trustees of 2180
one or more townships and the legislative authorities of one or 2181
more municipal corporations, or the legislative authorities of 2182

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 2244
shall deposit the bond with the presiding officer of the board, 2245
who shall file a copy of it, certified by the presiding officer, 2246
with the county auditor of the county containing the most 2247
territory in the district. 2248

The board also shall provide for the appointment of a 2249
fiscal officer for the district and may enter into agreements 2250
with volunteer fire companies for the use and operation of fire- 2251
fighting equipment. Volunteer firefighters acting under such an 2252
agreement are subject to the requirements for volunteer 2253
firefighters set forth in division (A) of section 505.38 of the 2254
Revised Code. 2255

(3) Employees of the district shall not be removed from 2256
office except as provided by sections 733.35 to 733.39 of the 2257
Revised Code, except that, to initiate removal proceedings, the 2258
board shall designate a private citizen or, if the employee is 2259
employed as a firefighter, the board may designate the fire 2260
chief, to investigate, conduct the proceedings, and prepare the 2261
necessary charges in conformity with those sections, and except 2262
that the board shall perform the functions and duties specified 2263
for the municipal legislative authority under those sections. 2264
The board may pay reasonable compensation to any private citizen 2265
hired for services rendered in the matter. 2266

(4) No person shall be appointed as a permanent full-time 2267
paid member of the district whose duties include fire fighting, 2268
or be appointed as a volunteer firefighter, unless that person 2269
has received a certificate issued under former section 3303.07 2270
or section 4765.55 of the Revised Code evidencing satisfactory 2271
completion of a firefighter training program. The board may send 2272
its officers and firefighters to schools of instruction designed 2273

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

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| the Revised Code; | 2303 |
| (5) Purchase, appropriate, or accept a deed or gift of | 2304 |
| land to enlarge or improve a fire station or medical emergency | 2305 |
| unit; | 2306 |
| (6) Purchase, lease, lease with an option to purchase, | 2307 |
| maintain, and use all materials, equipment, vehicles, buildings, | 2308 |
| and land necessary to perform its duties; | 2309 |
| (7) Contract for a period not to exceed three years with | 2310 |
| one or more townships, municipal corporations, counties, joint | 2311 |
| fire districts, joint ambulance districts, governmental | 2312 |
| agencies, nonprofit corporations, or private ambulance owners | 2313 |
| located either within or outside the state, to furnish or | 2314 |
| receive ambulance services or emergency medical services within | 2315 |
| the several territories of the contracting parties, if the | 2316 |
| contract is first authorized by all boards of trustees and | 2317 |
| legislative authorities concerned; | 2318 |
| (8) Establish reasonable charges for the use of ambulance | 2319 |
| or emergency medical services under the same conditions under | 2320 |
| which a board of fire district trustees may establish those | 2321 |
| charges under section 505.371 of the Revised Code; | 2322 |
| (9) Establish all necessary rules to guard against the | 2323 |
| occurrence of fires and to protect property and lives against | 2324 |
| damage and accidents; | 2325 |
| (10) Adopt a standard code pertaining to fire, fire | 2326 |
| hazards, and fire prevention prepared and promulgated by the | 2327 |
| state or by a public or private organization that publishes a | 2328 |
| model or standard code; | 2329 |
| (11) Provide for charges for false alarms at commercial | 2330 |
| establishments in the same manner as joint fire districts are | 2331 |

authorized to do under section 505.391 of the Revised Code; 2332

(12) Issue bonds and other evidences of indebtedness, 2333
subject to Chapter 133. of the Revised Code, but only after 2334
approval by a vote of the electors of the district as provided 2335
by section 133.18 of the Revised Code; 2336

(13) To provide the services and equipment it considers 2337
necessary, levy a sufficient tax, subject to Chapter 5705. of 2338
the Revised Code, on all the taxable property in the district. 2339

(D) Any municipal corporation or township may join an 2340
existing fire and ambulance district, whether created under 2341
division (A) (1) or (2) of this section, by its legislative 2342
authority's adoption of a resolution requesting the membership 2343
and upon approval of the board of trustees of the district. Any 2344
municipal corporation or township may withdraw from a district, 2345
whether created under division (A) (1) or (2) of this section, by 2346
its legislative authority's adoption of a resolution ordering 2347
withdrawal. Upon its withdrawal, the municipal corporation or 2348
township ceases to be a part of the district, and the district's 2349
power to levy a tax on taxable property in the withdrawing 2350
township or municipal corporation terminates, except that the 2351
district shall continue to levy and collect taxes for the 2352
payment of indebtedness within the territory of the district as 2353
it was composed at the time the indebtedness was incurred. 2354

Upon the withdrawal of any township or municipal 2355
corporation from a district, the county auditor of the county 2356
containing the most territory in the district shall ascertain, 2357
apportion, and order a division of the funds on hand, including 2358
funds in the ambulance and emergency medical services fund, 2359
moneys and taxes in the process of collection, except for taxes 2360
levied for the payment of indebtedness, credits, and real and 2361

personal property on the basis of the valuation of the 2362
respective tax duplicates of the withdrawing municipal 2363
corporation or township and the remaining territory of the 2364
district. 2365

(E) As used in this section: 2366

(1) "Governmental agency" includes all departments, 2367
boards, offices, commissions, agencies, colleges, universities, 2368
institutions, and other instrumentalities of this or another 2369
state. 2370

(2) "Emergency medical service organization" has the same 2371
meaning as in section 4766.01 of the Revised Code. 2372

Sec. 924.01. As used in sections 924.01 to 924.16 and 2373
924.40 to 924.55 of the Revised Code: 2374

(A) "Agricultural commodity" means any food, fiber, feed, 2375
animal, or plant, or group of foods, fibers, feeds, animals, or 2376
plants that the director of agriculture determines to be of the 2377
same nature, in either a natural or a processed state. 2378
"Agricultural commodity" does not include grain as defined in 2379
section 924.20 of the Revised Code. 2380

(B) "Distributor" means any person who sells, offers for 2381
sale, markets, or distributes an agricultural commodity that the 2382
person has purchased or acquired directly from a producer, or 2383
that the person markets on behalf of a producer. 2384

(C) "Handler" means any person who is in the business of 2385
packing, grading, selling, offering for sale, or marketing any 2386
agricultural commodity in commercial quantities as defined in a 2387
marketing program. 2388

(D) "Marketing program" means a program that is 2389

established by order of the director pursuant to this chapter, 2390
to improve or expand the market for an agricultural commodity. 2391

(E) "Operating committee" means a committee established to 2392
administer a marketing program for an agricultural commodity. 2393

(F) "Person" means any natural person, partnership, sole 2394
proprietorship, limited liability company, corporation, society, 2395
agricultural cooperative as defined in section 1729.01 of the 2396
Revised Code, association, or fiduciary. 2397

(G) "Processor" means any person who is in the business of 2398
grading, packaging, packing, canning, freezing, dehydrating, 2399
fermenting, distilling, extracting, preserving, grinding, 2400
crushing, juicing, or in any other way preserving or changing 2401
the form of any agricultural commodity. 2402

(H) "Producer" means any person who is in the business of 2403
producing, or causing to be produced, any agricultural commodity 2404
for commercial sale, except that when used in reference to 2405
nursery stock, "producer" also means a distributor, processor, 2406
handler, or retailer of nursery stock. 2407

Sec. 924.04. (A) Producers ~~Except as provided in division~~ 2408
(E) of this section, producers of an Ohio agricultural commodity 2409
may present the director of agriculture with a petition signed 2410
by the lesser of one thousand or twenty per cent of all such 2411
producers requesting that the director hold a referendum in 2412
accordance with section 924.06 of the Revised Code to establish 2413
a marketing program for that commodity or to amend an existing 2414
program. 2415

(B) At the time of presentation of the petition to the 2416
director under division (A) of this section, the petitioners 2417
also shall present the proposed amendment or a proposed program, 2418

which shall include all of the following: 2419

(1) The rate of assessment to be made on the marketable 2420
agricultural commodity, which shall not exceed two per cent of 2421
the average market price of that agricultural commodity during 2422
the preceding marketing year as defined by the United States 2423
department of agriculture or, if there is no such definition, by 2424
the director; 2425

(2) Terms, conditions, limitations, and other 2426
qualifications for assessment; 2427

(3) Procedures to refund the assessment; 2428

(4) Requirements for appointed or elected committees. 2429

(C) Before making a decision under this division to 2430
approve or disapprove a proposed program or an amendment, 2431
including an amendment proposed under division (E) of this 2432
section, the director shall publish in at least two appropriate 2433
periodicals designated by ~~him~~the director a notice that the 2434
program or amendment has been proposed and informing interested 2435
persons of the procedures for submitting comments regarding the 2436
proposal. After publishing the notice, the director shall 2437
provide interested persons with a copy of the proposed program 2438
or proposed amendment to an existing program and an opportunity 2439
to comment on the proposed program or amendment for thirty days 2440
after the publication of the notice. The petitioners may make 2441
changes to the proposed program or amendment based upon the 2442
comments received. The director may make technical changes to 2443
the proposal to ensure compliance with sections 924.01 to 924.16 2444
of the Revised Code. Subsequent to any changes made by the 2445
petitioners or any technical changes made by the director to a 2446
proposed program or amendment to an existing program, the 2447

director may approve or disapprove the proposed program or 2448
amendment to an existing program. 2449

(D) If the director approves ~~the proposed a~~ program or 2450
amendment proposed under division (A) of this section, with any 2451
changes made under division (C) of this section, ~~the director~~ 2452
shall hold a referendum in accordance with section 924.06 of the 2453
Revised Code to establish a marketing program for that commodity 2454
or to amend an existing program. 2455

(E) (1) Notwithstanding any other provisions of this 2456
chapter, at the request of an operating committee, the director 2457
may approve an amendment to an established marketing program 2458
without a referendum for any of the following reasons: 2459

(a) Making changes necessary to comply with revisions or 2460
additions to or deletions from this chapter enacted after the 2461
establishment of the marketing program; 2462

(b) Correcting typographical errors or making other 2463
grammatical or nonsubstantive wording changes; 2464

(c) Updating the marketing program's governance provisions 2465
other than those addressing the rate of assessment on the 2466
marketable agricultural commodity, a producer's right to a 2467
refund, a change in the definition of producer, and the 2468
termination of the marketing program; 2469

(d) Adjusting the representation on the marketing 2470
program's operating committee to reflect shifts in geographic 2471
location of producers and volume of a commodity's production. 2472

(2) The procedures and requirements established under 2473
division (C) of this section apply to an amendment proposed 2474
under division (E) of this section. 2475

(3) As used in division (E) (1) of this section, 2476
"established marketing program" includes a marketing program 2477
established by referendum under this section or otherwise 2478
established under this chapter. 2479

Sec. 924.07. (A) When the producers of an agricultural 2480
commodity who vote in a referendum favor a proposed marketing 2481
program, the director of agriculture shall order the program 2482
established and, if the marketing program does not provide for 2483
the election of an operating committee, appoint an operating 2484
committee consisting of producers of the commodity to administer 2485
the program. Each operating committee shall consist of not less 2486
than three nor more than fifteen producers. 2487

(B) Of the members first appointed to an operating 2488
committee, the director shall appoint approximately one-third 2489
for one-year terms, approximately one-third for two-year terms, 2490
and the remainder for three-year terms. Thereafter, the director 2491
shall appoint each member for a three-year term unless the 2492
appointee is to fill a vacancy in which case the appointee shall 2493
be appointed for the unexpired term. Each such subsequent 2494
appointment shall be made prior to the expiration date of the 2495
preceding or vacant term. 2496

(C) The director shall not appoint any member of an 2497
operating committee to serve more than three successive full 2498
three-year terms. 2499

(D) The director shall appoint members of each operating 2500
committee from a list of candidates recommended by the producers 2501
of the agricultural commodity for which the marketing program is 2502
established. Insofar as possible the members shall be equitably 2503
distributed by geographic and production areas. Any list of 2504
candidates recommended to the director by producers shall 2505

include not less than twice as many candidates as the number of 2506
members which are to be appointed, but in no case shall a list 2507
include fewer than three names. 2508

(E) The director, or the director's designee, is an ex 2509
officio member of each operating committee, with the right to 2510
vote. 2511

(F) Each member of an operating committee, except the 2512
director or the director's designee, is entitled to actual and 2513
necessary travel and incidental expenses while attending 2514
meetings of the committee or while engaged in the performance of 2515
official responsibilities delegated to the committee. No member 2516
of such a committee shall receive in excess of thirty dollars 2517
per day, in addition to such travel and incidental expenses, or 2518
for more than twenty-four days per year for duties performed as 2519
a member of the committee. 2520

(G) No person is civilly liable for any actions taken in 2521
good faith as a member or employee of an operating committee. 2522

Sec. 924.09. (A) Each operating committee may make 2523
assessments upon the marketable agricultural commodity for which 2524
the marketing program was established. 2525

(B) No operating committee shall levy any assessment: 2526

(1) That was not approved by the producers affected by the 2527
program; 2528

(2) That exceeds two cents per bushel of corn or soybeans 2529
or two per cent of the average market price of any other 2530
agricultural commodity during the preceding marketing year as 2531
defined for the commodity by the United States department of 2532
agriculture or, if there is no such definition, by the director 2533
of agriculture; 2534

(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. 2565
2901, and amendments thereto, and shall credit that amount to 2566
the total amount owed by the producer to the federal beef 2567
program. 2568~~

(F) Each application for a refund of assessments levied 2569
for a program established after April 10, 1985 shall be made on 2570
a form provided by the director of agriculture. Each operating 2571
committee for such a program shall ensure that refund forms are 2572
available where assessments for its program are withheld. 2573

A producer, processor, distributor, or handler marketing 2574
cattle subject to the "Beef Promotion and Research Act," as 2575
amended, shall remit the assessment for the national cattlemen's 2576
beef promotion and research board, as specified in the "Beef 2577
Promotion and Research Act," 99 Stat. 1597 (1985), 7 U.S.C. 2578
2904(8), to the state beef marketing program if the state beef 2579
marketing program is a qualified state beef council as defined 2580
by that act. Division (E) of this section does not apply to such 2581
assessments collected by the state beef marketing program on 2582
behalf of the national cattlemen's beef promotion and research 2583
board pursuant to the "Beef Promotion and Research Act," as 2584
amended, for which the producers that pay the assessments 2585
receive credits from the board. 2586

Sec. 924.17. Any record submitted to the department of 2587
agriculture under this chapter that indicates how an individual 2588
has voted in a referendum to establish or amend a marketing 2589
program under section 924.07 of the Revised Code, or in an 2590
election of the members of an operating committee under section 2591
924.03 or 924.22 of the Revised Code is not a public record 2592
under section 149.43 of the Revised Code. 2593

Sec. 924.24. (A) The grain marketing program operating 2594

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| committee shall do all of the following: | 2595 |
| (1) Hire personnel and contract for services that are necessary for the operation of the grain marketing program; | 2596 2597 |
| (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; | 2598 2599 2600 2601 |
| (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; | 2602 2603 2604 2605 |
| (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; | 2606 2607 2608 |
| (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. | 2609 2610 2611 2612 |
| (B) The operating committee may do any or all of the following: | 2613 2614 |
| (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; | 2615 2616 2617 2618 2619 2620 |
| (2) Provide the wholesale and retail grain trade with information relative to proper methods of handling and selling | 2621 2622 |

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| grain; | 2623 |
| (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; | 2624 2625 2626 2627 2628 2629 2630 2631 2632 |
| (4) Publish and distribute to producers and others information relating to the grain industry; | 2633 2634 |
| (5) Propose to the director of agriculture rules <u>and amendments to rules</u> that are necessary for the exercise of its powers and the performance of its duties; | 2635 2636 2637 |
| (6) Establish priorities and prepare and approve a budget consistent with estimated resources and the scope of the grain marketing program; | 2638 2639 2640 |
| (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. | 2641 2642 2643 2644 2645 |
| 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: | 2646 2647 2648 |
| (1) The grain marketing program is self-supporting. | 2649 |
| (2) The operating committee keeps all records that are | 2650 |

required for agencies of the state. 2651

(3) The program's operations comply with all of the 2652
following: 2653

(a) The provisions of the program; 2654

(b) Rules; 2655

(c) Sections 924.20 to 924.30 of the Revised Code. 2656

(4) Administrative activities of the committee are 2657
coordinated with those of the department of agriculture. 2658

~~(B) Not later than ninety days after the effective date of~~ 2659
~~this section, the~~ The director shall ~~shall~~ may adopt rules in 2660
accordance with Chapter 119. of the Revised Code that are 2661
necessary to carry out the purposes of sections 924.20 to 924.30 2662
of the Revised Code. ~~The rules shall include all of the~~ 2663
~~following:~~ 2664

~~(1) Deadlines and nomination procedures for the placement~~ 2665
~~of persons on the ballot for election to the grain marketing~~ 2666
~~program operating committee;~~ 2667

~~(2) The terms of office of members of the operating~~ 2668
~~committee, including the staggering of terms for the initial~~ 2669
~~members;~~ 2670

~~(3) Insofar as possible, requirements providing for the~~ 2671
~~equitable distribution of members on the operating committee by~~ 2672
~~geographic and production areas of the state.~~ 2673

Sec. 924.26. (A) The grain marketing program operating 2674
committee shall levy on producers and, as provided in division 2675
(B) of this section, handlers the following assessments, as 2676
applicable: 2677

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| (1) One-half of one per cent of the per-bushel price of wheat at the first point of sale; | 2678 2679 |
| (2) One-half of one per cent of the per-bushel price of barley at the first point of sale; | 2680 2681 |
| (3) One-half of one per cent of the per-bushel price of rye at the first point of sale; | 2682 2683 |
| (4) One-half of one per cent of the per-bushel price of oats at the first point of sale. | 2684 2685 |
| (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 <u>operating committee</u> . 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. | 2686 2687 2688 2689 2690 2691 |
| (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. | 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 |
| (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 | 2703 2704 2705 2706 |

procedures for a refund established by the committee under 2707
section 924.24 of the Revised Code. 2708

An application for a refund shall be made on a form 2709
provided by the director. The operating committee shall ensure 2710
that refund forms are available where assessments for the grain 2711
marketing program are collected. 2712

Sec. 1501.012. (A) The director of natural resources may 2713
lease lands in state parks, as defined in section 1501.07 of the 2714
Revised Code, and contract for the construction and operation of 2715
public service facilities, as mentioned in that section, and for 2716
major renovation or remodeling of existing public service 2717
facilities by the lessees on those lands. If the director 2718
determines that doing so would be consistent with long-range 2719
planning of the department of natural resources and in the best 2720
interests of the department and the division of parks and 2721
watercraft in the department, the director shall negotiate and 2722
execute a lease and contract for those purposes in accordance 2723
with this chapter except as otherwise provided in this section. 2724

(B) ~~With the approval of the recreation and resources~~ 2725
~~council created under section 1501.04 of the Revised Code, the~~ 2726
The director shall draft a statement of intent describing any 2727
public service facility that the department wishes to have 2728
constructed in accordance with this section and establishing a 2729
procedure for the submission of proposals for providing the 2730
facility, including, but not limited to, a requirement that each 2731
prospective bidder or lessee of land shall submit with the 2732
proposal a completed questionnaire and financial statement, on 2733
forms prescribed and furnished by the department, to enable the 2734
department to ascertain the person's financial worth and 2735
experience in maintaining and operating facilities similar or 2736

related to the public service facility in question. The 2737
completed questionnaire and financial statement shall be 2738
verified under oath by the prospective bidder or lessee. 2739
Questionnaires and financial statements submitted under this 2740
division are confidential and are not open to public inspection. 2741
Nothing in this division shall be construed to prevent use of or 2742
reference to questionnaires and financial statements in a civil 2743
action or criminal prosecution commenced by the state. 2744

The director shall publish the statement of intent in at 2745
least three daily newspapers of general circulation in the state 2746
at least once each week for four consecutive weeks. The director 2747
then shall accept proposals in response to the statement of 2748
intent for at least thirty days following the final publication 2749
of the statement. At the end of the period during which 2750
proposals may be submitted under this division, the director 2751
shall select the proposal that the director determines best 2752
complies with the statement of intent and may negotiate a lease 2753
and contract with the person that submitted that proposal. 2754

(C) Any lease and contract negotiated under this section 2755
shall include in its terms and conditions all of the following: 2756

(1) The legal description of the leasehold; 2757

(2) The duration of the lease and contract, which shall 2758
not exceed forty years, and a requirement that the lease and 2759
contract be nonrenewable; 2760

(3) A requirement that the lessee maintain in full force 2761
and effect during the term of the lease and contract 2762
comprehensive liability insurance for injury, death, or loss to 2763
persons or property and fire casualty insurance for the public 2764
service facility and all its structures in an amount established 2765

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| by the director and naming the department as an additional | 2766 |
| insured; | 2767 |
| (4) A requirement that the lessee maintain in full force | 2768 |
| and effect suitable performance bonds or other adequate security | 2769 |
| pertaining to the construction and operation of the public | 2770 |
| service facility; | 2771 |
| (5) Detailed plans and specifications controlling the | 2772 |
| construction of the public service facility that shall include | 2773 |
| all of the following: | 2774 |
| (a) The size and capacity of the facility; | 2775 |
| (b) The type and quality of construction; | 2776 |
| (c) Other criteria that the department considers necessary | 2777 |
| and advisable. | 2778 |
| (6) The manner of rental payment; | 2779 |
| (7) A stipulation that the director shall have control and | 2780 |
| supervision over all of the following: | 2781 |
| (a) The operating season of the public service facility; | 2782 |
| (b) The facility's hours of operation; | 2783 |
| (c) The maximum rates to be charged guests using the | 2784 |
| facility; | 2785 |
| (d) The facility's sanitary conditions; | 2786 |
| (e) The quality of food and service furnished the guests | 2787 |
| of the facility; | 2788 |
| (f) The lessee's general and structural maintenance | 2789 |
| responsibilities at the facility. | 2790 |
| (8) The disposition of the leasehold and improvements at | 2791 |

the expiration of the lease and contract; 2792

(9) A requirement that the public service facility be 2793
available to all members of the public without regard to sex, 2794
race, color, creed, ancestry, national origin, or disability as 2795
defined in section 4112.01 of the Revised Code; 2796

(10) Other terms and conditions that the director 2797
considers necessary and advisable to carry out the purposes of 2798
this section. 2799

(D) The attorney general shall approve the form of the 2800
lease and contract prior to its execution by the director. 2801

(E) The authority granted in this section to the director 2802
is in addition and supplemental to any other authority granted 2803
the director under state law. 2804

Sec. 1501.07. The department of natural resources through 2805
the division of parks and watercraft may plan, supervise, 2806
acquire, construct, enlarge, improve, erect, equip, and furnish 2807
public service facilities such as inns, lodges, hotels, 2808
cottages, camping sites, scenic trails, picnic sites, 2809
restaurants, commissaries, golf courses, boating and bathing 2810
facilities, and other similar facilities in state parks 2811
reasonably necessary and useful in promoting the public use of 2812
state parks under its control and may purchase lands or 2813
interests in lands in the name of the state necessary for those 2814
purposes. 2815

The chief of the division of parks and watercraft shall 2816
administer state parks, establish rules, fix fees and charges 2817
for admission to parks and for the use of public service 2818
facilities therein, establish rentals for the lease of lands or 2819
interests therein within a state park the chief is authorized by 2820

law to lease, and exercise all powers of the chief, in 2821
conformity with all covenants of the director of natural 2822
resources in or with respect to state park revenue bonds and 2823
trust agreements securing such bonds and all terms, provisions, 2824
and conditions of such bonds and trust agreements. In the 2825
administration of state parks with respect to which state park 2826
revenue bonds are issued and outstanding, or any part of the 2827
moneys received from fees and charges for admission to or the 2828
use of facilities, from rentals for the lease of lands or 2829
interests or facilities therein, or for the lease of public 2830
service facilities are pledged for any such bonds, the chief 2831
shall exercise the powers and perform the duties of the chief 2832
subject to the control and approval of the director. The 2833
acquisition of such lands or interests therein and facilities 2834
shall be planned with regard to the needs of the people of the 2835
state and with regard to the purposes and uses of such state 2836
parks and, except for facilities constructed in consideration of 2837
a lease under section 1501.012 of the Revised Code, shall be 2838
paid for from the state park fund created in section 1546.21 of 2839
the Revised Code or from the proceeds of the sale of bonds 2840
issued under sections 1501.12 to 1501.15 of the Revised Code. 2841
Sections 125.81 and 153.04 of the Revised Code, insofar as they 2842
require a certification by the chief of the division of capital 2843
planning and improvement, do not apply to the acquisition of 2844
lands or interests therein and public service facilities to be 2845
paid for from the proceeds of bonds issued under sections 2846
1501.12 to 1501.15 of the Revised Code. 2847

As used in sections 1501.07 to 1501.14 of the Revised 2848
Code, state parks are all of the following: 2849

(A) State reservoirs described and identified in section 2850
1546.11 of the Revised Code; 2851

(B) All lands or interests therein that are denominated as state parks in section 1546.14 of the Revised Code; 2852
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(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; 2854
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(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.~~ 2861
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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 2865
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divisions (A) to (D) of this section shall be conclusive, and 2882
those lands shall be under the control of and administered by 2883
the division of parks and watercraft. No order or proceeding 2884
designating lands as state parks or park purchase areas shall be 2885
subject to any appeal or review by any officer, board, 2886
commission, or court. 2887

Sec. 1503.03. The chief of the division of forestry shall 2888
cooperate with all state operated universities and the 2889
department of agriculture. The chief, with the approval of the 2890
director of natural resources, may purchase or acquire by gift, 2891
donations, or contributions any interest in lands suitable for 2892
forestry purposes. The chief may enter into agreements with the 2893
federal government or other agencies for the acquisition, by 2894
lease, purchase, or otherwise, of such lands as in the judgment 2895
of the chief and director are desirable for state forests, 2896
building sites, or nursery lands. The chief may expend funds, 2897
not otherwise obligated, for the management, development, and 2898
utilization of such lands. 2899

The chief, with the approval of the director, may acquire 2900
by lease, purchase, gift, or otherwise, in the name of the 2901
state, forested or other lands in the state suitable for the 2902
growth of forest trees to the amount of the appropriation for 2903
that purpose. The chief shall prepare and submit to the director 2904
maps and descriptions of such areas including and adjacent to 2905
the existing state forest lands, the lands within which, not at 2906
the time belonging to the state, are properly subject to 2907
purchase as state forest lands for reasons of protection, 2908
utilization, and administration. When such an area is approved 2909
by the director ~~and the recreation and resources council created~~ 2910
~~in section 1501.04 of the Revised Code,~~ it shall be known as a 2911
state forest purchase area and the map and description, with the 2912

approval of the director indorsed thereon, shall be filed in 2913
duplicate with the auditor of state and the attorney general. 2914

All lands purchased for forest purposes shall be deeded to 2915
the state, but the purchase price of such lands shall not be 2916
paid until the title thereof has been approved by the attorney 2917
general. The price of such lands shall not exceed the 2918
appropriation for such purposes. 2919

Sec. 1505.05. (A) Notwithstanding any other provision of 2920
the Revised Code to the contrary, the chief of the division of 2921
geological survey shall adopt rules under Chapter 119. of the 2922
Revised Code that establish a fee schedule for requests for 2923
manipulated, interpreted, or analyzed data from the geologic 2924
records, data, maps, rock cores, and samples archived by the 2925
division. The fee schedule may include the cost of specialized 2926
storage requirements, programming, labor, research, retrieval, 2927
data manipulation, and copying and mailing of records requested 2928
from the archives. In addition, the rules shall establish 2929
procedures for the levying and collection of the fees in the fee 2930
schedule. 2931

(B) For purposes of divisions (H) and (I) of section 2932
1505.01 of the Revised Code, the chief shall adopt rules under 2933
Chapter 119. of the Revised Code that establish a fee schedule 2934
to be paid for creating custom maps, custom data sets, and other 2935
custom products and for providing geological information of the 2936
state. The fee schedule may include the costs of labor, 2937
research, analysis, equipment, and technology. In addition, the 2938
rules shall establish procedures for the levying and collection 2939
of the fees in the fee schedule. 2940

(C) The chief may reduce or waive a fee in a fee schedule 2941
established in rules adopted under division (A) or (B) of this 2942

section for a student that is enrolled in an institution of higher education. 2943
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(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. 2945
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(E) All fees collected under this section shall be credited to the geological mapping fund created in section 1505.09 of the Revised Code. 2952
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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. 2955
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The ~~council~~ director shall award grants at least annually and, in its discretion, may award grants on a more frequent basis. 2970
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Sec. 1505.13. There is hereby created in the state 2973
treasury the "Ohio geology" license plate fund. The fund shall 2974
consist of the contributions that are paid to the bureau of 2975
motor vehicles by applicants who choose to obtain "Ohio geology" 2976
license plates pursuant to section 4503.515 of the Revised Code. 2977

The contributions deposited into the fund shall be used by 2978
the ~~Ohio geology advisory council~~ director of natural resources 2979
in the manner described in section 1505.12 of the Revised Code. 2980

Sec. 1510.01. As used in this chapter: 2981

(A) "First purchaser" means: 2982

(1) With regard to crude oil and condensate, the person to 2983
whom title first is transferred beyond the gathering tank or 2984
tanks, beyond the facility from which the crude oil was first 2985
produced, or both; 2986

(2) With regard to natural gas, the person to whom title 2987
first is transferred beyond the inlet side of the measurement 2988
station from which the natural gas was first produced. 2989

(B) ~~"Independent producer"~~ "Producer" means a person who 2990
complies with ~~both~~ all of the following: 2991

(1) Produces oil or natural gas ~~and is not engaged in~~ 2992
~~refining either product~~ in this state; 2993

(2) Derives a majority of income from ownership in 2994
properties producing oil or natural gas; 2995

(3) Is the owner of record for the respective wells from 2996
which assessments are levied under this chapter. 2997

(C) "Independent producer" means a producer that is not 2998
engaged in refining either oil or natural gas. 2999

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| <u>(D)</u> "Qualified independent producer association" means an association that complies with all of the following: | 3000 3001 |
| (1) It is in existence on December 18, 1997. | 3002 |
| (2) It is organized and operating within this state. | 3003 |
| (3) A majority of the members of its governing body are independent producers. | 3004 3005 |
| (D) <u>(E)</u> "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. | 3006 3007 3008 3009 |
| <u>(F)</u> "Condensate," "gas," "horizontal well," "oil," and "owner" have the same meanings as in section 1509.01 of the Revised Code. | 3010 3011 3012 |
| Sec. 1510.02. <u>(A)</u> In accordance with this chapter, the technical advisory council shall do all of the following: | 3013 3014 |
| (A) <u>(1)</u> Establish procedures by which independent producers in this state may propose, develop, and operate a marketing program to do all of the following: | 3015 3016 3017 |
| (1) <u>(a)</u> Demonstrate to the general public the importance and economic significance of the oil and natural gas industry in this state; | 3018 3019 3020 |
| (2) <u>(b)</u> Encourage the wise and efficient use of energy; | 3021 |
| (3) <u>(c)</u> Promote environmentally sound production methods and technologies in the industry; | 3022 3023 |
| (4) <u>(d)</u> Support research, <u>training</u> , and educational activities concerning the industry. | 3024 3025 |
| (B) <u>(2)</u> Establish procedures necessary to implement and | 3026 |

administer this chapter; 3027

~~(C) (3)~~ Determine the eligibility of ~~independent~~ producers 3028
to participate in referendums and other procedures that may be 3029
required to establish a marketing program for oil and natural 3030
gas. 3031

(B) The council may conduct business by a majority of 3032
those members voting without need of a quorum. 3033

Sec. 1510.04. (A) ~~Independent producers~~ (1) Producers in 3034
this state may present the technical advisory council with a 3035
petition signed by the lesser of one hundred or ten per cent of 3036
all such producers requesting that the council hold a referendum 3037
in accordance with section 1510.05 of the Revised Code to 3038
establish a marketing program for oil and natural gas ~~or~~. 3039

(2) Producers in this state also may present the operating 3040
committee appointed under section 1510.06 of the Revised Code or 3041
the council with a petition signed by the lesser of one hundred 3042
or ten per cent of all such producers requesting that the 3043
council hold a referendum in accordance with section 1510.05 of 3044
the Revised Code to amend an existing marketing program. The 3045
council may request the operating committee to perform any 3046
administrative duty during the amendment process provided for 3047
under this chapter and the operating committee shall perform any 3048
such administrative duty. 3049

(B) At the time of presentation of the petition to the 3050
council or committee under division (A) of this section, the 3051
petitioners also shall present the proposed program or 3052
amendment, which shall include all of the following: 3053

(1) The rate of assessment to be made on the production of 3054
oil and natural gas in this state, which shall not exceed five 3055

cents per each gross barrel of oil and one cent per thousand 3056
cubic feet of natural gas; 3057

(2) Terms, conditions, limitations, and other 3058
qualifications for assessment; 3059

(3) Procedures to refund the assessment. 3060

(C) Before ~~making~~ the council makes a decision under this 3061
division to approve or disapprove a proposed program or 3062
amendment, the council or committee, as applicable, shall 3063
publish in at least two appropriate periodicals designated by 3064
the council a notice that the program or amendment has been 3065
proposed and informing interested persons of the procedures for 3066
submitting comments regarding the proposal. After publishing the 3067
notice, the council or committee shall provide interested 3068
persons with a copy of the proposed program or amendment and an 3069
opportunity to comment on the proposed program or amendment for 3070
thirty days after the publication of the notice. The petitioners 3071
may make changes to the proposed program or amendment based upon 3072
the comments received. The council or committee may make 3073
technical changes to the proposal to ensure compliance with this 3074
chapter. Subsequent to any changes made by the petitioners or 3075
any technical changes made by the council or committee to a 3076
proposed program or amendment, the council may approve or 3077
disapprove the proposed program or amendment. 3078

(D) If the council approves the proposed program or 3079
amendment, with any changes made under division (C) of this 3080
section, the council shall hold a referendum in accordance with 3081
section 1510.05 of the Revised Code to establish a marketing 3082
program for oil and natural gas or to amend an existing program. 3083

Sec. 1510.05. (A) Not later than ninety days after the 3084

technical advisory council has approved a marketing program 3085
proposed under section 1510.04 of the Revised Code, or an 3086
amendment to such a program, the council shall determine by a 3087
referendum whether the eligible ~~independent~~ producers, as 3088
determined under division ~~(C)~~ (A) (3) of section 1510.02 of the 3089
Revised Code, favor the proposed program or amendment. The 3090
council or committee shall cause a ballot request form to be 3091
published not less than thirty days before the beginning of the 3092
election period established under division (B) of this section 3093
in at least two appropriate periodicals designated by the 3094
council or committee and shall make the form available for 3095
reproduction to any qualified independent producer association. 3096

(B) In a referendum held under this section, each eligible 3097
~~independent~~ producer is entitled to one vote. The council or 3098
committee shall establish a three-day period during which 3099
eligible ~~independent~~ producers may vote either in person during 3100
normal business hours at polling places designated by the 3101
council or committee or by mailing a ballot to such a polling 3102
place. The council or committee shall send a mail-in ballot by 3103
first-class mail to any eligible ~~independent~~ producer who 3104
requests one by sending in the ballot request form provided for 3105
in division (A) of this section, by calling one of the polling 3106
places designated by the council or committee, or by any 3107
additional method that the council or committee may provide. A 3108
ballot that is returned by mail is not valid if it is postmarked 3109
later than the third day of the election period established by 3110
the council or committee. 3111

(C) A marketing program or an amendment to a marketing 3112
program is favored by ~~independent~~ producers if a majority of the 3113
~~independent~~ producers who vote in the referendum vote in favor 3114
of the program or amendment. If the ~~independent~~ producers who 3115

vote in the referendum do not favor the proposed program or 3116
amendment, the council shall not hold another referendum on the 3117
proposed program or amendment during the ten months following 3118
the close of the referendum at which the ~~independent~~ producers 3119
did not favor the proposed program or amendment. 3120

Sec. 1510.06. (A) When the ~~independent~~ producers who vote 3121
in a referendum held under section 1510.05 of the Revised Code 3122
favor a proposed marketing program, the technical advisory 3123
council shall order the program established. The council shall 3124
appoint an operating committee consisting of ~~seven~~ thirteen 3125
members. Six of the members shall be independent producers and 3126
six of the members shall be primarily horizontal well operators. 3127
The council shall select those members from lists of names 3128
submitted by qualified independent producer associations. Each 3129
member who is ~~an independent~~ a producer shall be at least 3130
twenty-five years old, ~~be a resident of~~ have production in this 3131
state, and have at least five years of active experience in the 3132
oil and natural gas industry. 3133

The ~~seventh~~ thirteenth member shall be a member of an 3134
organization that represents farmers. The council shall select 3135
that member from a list submitted by such an organization. 3136

Of the initial appointments made prior to the effective 3137
date of this amendment, the council shall appoint two members 3138
for terms of one year, two members for terms of two years, and 3139
three members for terms of three years. Thereafter, the council 3140
shall appoint each member for a three-year term unless the 3141
appointee is to fill a vacancy, in which case the appointee 3142
shall be appointed for the unexpired term. Each such subsequent 3143
appointment shall be made prior to the expiration date of the 3144
preceding or vacant term. The council shall not appoint any 3145

member of ~~an~~the operating committee to serve more than three 3146
successive full three-year terms. 3147

Of the members who are primarily horizontal well operators 3148
who are appointed after the effective date of this amendment, 3149
the council shall appoint two members for terms of one year, two 3150
members for terms of two years, and two members for terms of 3151
three years. Thereafter, the council shall appoint each member 3152
for a three-year term unless the appointee is to fill a vacancy, 3153
in which case the appointee shall be appointed for the unexpired 3154
term. Each subsequent appointment shall be made prior to the 3155
expiration date of the preceding or vacant term. The council 3156
shall not appoint any member of the operating committee to serve 3157
more than three successive full three-year terms. 3158

(B) Each member of ~~an~~the operating committee is entitled 3159
to actual and necessary travel and incidental expenses while 3160
attending meetings of the committee or while engaged in the 3161
performance of official responsibilities delegated to the 3162
committee. 3163

(C) No person is liable in a civil action for any actions 3164
taken in good faith as a member or employee of an operating 3165
committee. 3166

Sec. 1510.08. (A) (1) Except as provided in division (A) (2) 3167
of this section, an operating committee may levy assessments on 3168
the production of crude oil, condensate, and natural gas in this 3169
state for the purposes of a marketing program established under 3170
this chapter. 3171

(2) ~~An~~The operating committee shall not levy an 3172
assessment that was not approved by ~~independent~~ producers or 3173
that exceeds the amount authorized under division (B) (1) of 3174

section 1510.04 of the Revised Code. ~~An~~The operating committee 3175
shall not levy an assessment against ~~an independent a~~ producer 3176
who is not eligible to vote in a referendum for the marketing 3177
program that the operating committee administers, as determined 3178
under division ~~(C)~~(A) (3) of section 1510.02 of the Revised 3179
Code. 3180

(B) The technical advisory council may require a first 3181
purchaser to withhold assessments from any amounts that the 3182
first purchaser owes to ~~independent~~ producers and, 3183
notwithstanding division (A) (2) of this section, to remit them 3184
to the chairperson of the council at the office of the division 3185
of oil and gas resources management. A first purchaser who pays 3186
an assessment that is levied pursuant to this section for ~~an~~ 3187
~~independent a~~ producer may deduct the amount of the assessment 3188
from any ~~moneys~~money that the first purchaser owes the 3189
~~independent~~ producer. 3190

The operating committee may, through the referendum 3191
process, elect to authorize the producer of a horizontal well to 3192
directly pay the assessment to the operating committee in lieu 3193
of having the first purchaser remit the assessment. The producer 3194
shall direct the payment to the operating committee along with a 3195
form furnished by the operating committee and approved as to 3196
content by a qualified independent producer association. The 3197
operating committee may establish, through the referendum 3198
process, additional terms, limitations, and conditions for 3199
assessment and refunds for those producers who directly pay the 3200
assessment to the operating committee. 3201

(C) A marketing program shall require a refund of 3202
assessments collected under this section after receiving an 3203
application for a refund from ~~an independent a~~ producer who is 3204

the owner or operator of the well that was assessed. ~~An~~The 3205
producer shall submit the application for a refund ~~shall be made~~ 3206
on a form furnished by the ~~council~~ operating committee and 3207
approved as to content by a qualified independent producer 3208
association. The operating committee shall ensure that refund 3209
forms are available where assessments for its program are 3210
withheld. 3211

~~An independent~~ A producer who desires a refund shall 3212
submit a request for a refund not later than the thirty-first 3213
day of March of the year in which the request is submitted. The 3214
~~council~~ operating committee shall refund the assessment to the 3215
~~independent~~ producer not later than the thirtieth day of June of 3216
the year in which the request for the refund is submitted. 3217

(D) ~~An~~ The operating committee shall not use ~~moneys~~ money 3218
from any assessments that it levies for any political or 3219
legislative purpose or for preferential treatment of one person 3220
to the detriment of another person who is affected by the 3221
marketing program that the operating committee administers. 3222

(E) If the operating committee requests that a producer 3223
seeking a refund provide additional information to support a 3224
refund request, any additional information provided to the 3225
operating committee is not a public record under section 149.43 3226
of the Revised Code, is confidential, and the operating 3227
committee shall treat the information as confidential. 3228

Sec. 1510.09. (A) There is hereby established a fund for 3229
any marketing program that is established by the technical 3230
advisory council under this chapter. The fund shall be in the 3231
custody of the treasurer of state, but shall not be part of the 3232
state treasury. Except as authorized in division (B) of this 3233
section, all ~~moneys~~ money collected pursuant to section 1510.08 3234

of the Revised Code for the marketing program shall be paid into 3235
the fund for the marketing program and shall be disbursed only 3236
pursuant to a voucher signed by the chairperson of the council 3237
for use in defraying the costs of administration of the 3238
marketing program and for carrying out sections 1510.02, 3239
1510.03, and 1510.11 of the Revised Code. 3240

(B) In lieu of deposits in the fund established under 3241
division (A) of this section, the operating committee of a 3242
marketing program established under this chapter may deposit all 3243
~~moneys~~ money collected pursuant to section 1510.08 of the 3244
Revised Code with a bank or a savings and loan association as 3245
defined in sections 1101.01 and 1151.01 of the Revised Code. All 3246
~~moneys~~ money collected pursuant to section 1510.08 of the 3247
Revised Code for the marketing program and deposited pursuant to 3248
this division also shall be used only in defraying the costs of 3249
administration of the marketing program and for carrying out 3250
sections 1510.02, 1510.03, and 1510.11 of the Revised Code. 3251

(C) ~~An~~ The operating committee shall establish a fiscal 3252
year for its marketing program, shall publish an activity and 3253
financial report within sixty days of the end of each fiscal 3254
year, and shall make the report available to each ~~independent~~ 3255
producer who pays an assessment or otherwise contributes to the 3256
marketing program that the committee administers and to other 3257
interested persons. 3258

(D) In addition to the report required by division (C) of 3259
this section, an operating committee that deposits ~~moneys~~ money 3260
in accordance with division (B) of this section shall annually 3261
submit to the council ~~both of the following~~: 3262

~~(1) Annually,~~ a financial statement prepared by a 3263
certified public accountant holding valid certification from the 3264

Ohio board of accountancy issued pursuant to Chapter 4701. of 3265
the Revised Code. The operating committee shall file the 3266
financial statement with the council not more than ~~sixty-one~~ 3267
hundred fifty days after the end of each fiscal year. 3268

~~(2) Monthly, an unaudited financial statement.~~ 3269

Sec. 1510.10. (A) The technical advisory council 3270
temporarily may suspend the operation of a marketing program, or 3271
any part of a program, for any reason upon recommendation by the 3272
operating committee of the program for a period of not more than 3273
twelve consecutive months. 3274

(B) At least once in each five years of operation, or at 3275
any time upon written petition by the lesser of one hundred or 3276
ten per cent of the ~~independent~~ producers in this state, the 3277
council shall hold a hearing as prescribed in Chapter 119. of 3278
the Revised Code to consider the continuation of the program. 3279

(C) Not later than thirty days after the close of any 3280
hearing to consider the continuation of a marketing program, the 3281
council shall recommend continuation or termination of the 3282
program, shall give public notice, and shall notify each 3283
~~independent~~ producer of record, all parties appearing at the 3284
hearing, and other interested parties of the recommendation. 3285

(D) When the council recommends termination of a marketing 3286
program, within forty-five days the council shall conduct a 3287
referendum to determine whether ~~independent~~ producers favor the 3288
proposed termination. ~~Independent producers~~ Producers favor the 3289
termination of the program if a majority of the ~~independent~~ 3290
producers who vote in the referendum vote in favor of 3291
termination of the program. 3292

Sec. 1510.11. (A) When ~~independent~~ producers favor 3293

termination of a marketing program established under this 3294
chapter, the operating committee of the program and the 3295
technical advisory council shall terminate all operations of the 3296
program. 3297

(B) (1) Except as provided in division (B) (2) of this 3298
section, upon termination of a program, the council shall return 3299
any remaining unobligated ~~moneys~~ money to the ~~independent~~ 3300
producers who paid the assessments levied under section 1510.08 3301
of the Revised Code during the immediately preceding twelve 3302
months and shall prorate the ~~moneys~~ money accordingly. 3303

(2) If a program is operated by a nonprofit corporation 3304
that is organized under Chapter 1702. of the Revised Code for 3305
the purpose of carrying out the purposes identified in division 3306
(A) (1) of section 1510.02 of the Revised Code, and if the 3307
nonprofit corporation is exempt from federal income taxation 3308
pursuant to section 501(a) of the Internal Revenue Code and is 3309
described in section 501(c) (3) of the Internal Revenue Code, 3310
upon termination of the program, the nonprofit corporation shall 3311
distribute any remaining unobligated money to be used for one or 3312
more exempt purposes within the meaning of section 501(c) (3) of 3313
the Internal Revenue Code or to the federal, a state, or a local 3314
government to be used for a public purpose. If there remains any 3315
unobligated money after the distribution by the nonprofit 3316
corporation, the court of common pleas of the county in which 3317
the principal office of the nonprofit corporation is located 3318
shall distribute the remaining unobligated money to be used for 3319
one or more exempt purposes within the meaning of section 501(c) 3320
(3) of the Internal Revenue Code, to the federal, a state, or a 3321
local government to be used for a public purpose, or to one or 3322
more organizations that are organized and operated exclusively 3323
for one or more of the purposes that are within the meaning of 3324

section 501(c)(3) of the Internal Revenue Code, as the court 3325
determines is best to accomplish the exempt purposes of the 3326
nonprofit corporation. 3327

Sec. 1513.27. As used in this section and sections 3328
1513.28, 1513.30, 1513.31, and 1513.32 of the Revised Code, 3329
"damage to adjacent property" means physical injury or harm to 3330
nearby property caused by the unreclaimed condition of lands 3331
mined prior to April 10, 1972, or pursuant to a license issued 3332
prior to April 10, 1972, including, without limitation, injury 3333
or harm to vegetation on adjacent property, pollution of surface 3334
or underground waters on adjacent property, loss or interruption 3335
of water supply on adjacent property, flow of acid water onto or 3336
across adjacent property, flooding of adjacent property, 3337
landslides onto or across adjacent property, erosion of adjacent 3338
property, or deposition of sediment upon adjacent property. 3339
Damage to adjacent property does not include any diminution of 3340
the market value of adjacent property caused exclusively by the 3341
visual or aesthetic appearance of such unreclaimed lands. 3342

The chief of the division of mineral resources management, 3343
with the approval of the director of natural resources, may 3344
enter into a written agreement, which may be in the form of a 3345
contract, with the owner of any unreclaimed land affected by 3346
mining before April 10, 1972, or pursuant to a license issued 3347
before April 10, 1972, that causes or may cause pollution of the 3348
waters of the state or damage to adjacent property, is not 3349
likely to be mined in the foreseeable future, and lies within 3350
the boundaries of a project area approved by the ~~council on~~ 3351
~~unreclaimed strip mined lands created in chief under~~ section 3352
~~1513.29-1513.30~~ of the Revised Code, under which the state or 3353
its agents may enter the land to reclaim it at state expense 3354
with moneys from the unreclaimed lands fund ~~created by section~~ 3355

~~1513.30 of the Revised Code~~ by establishing vegetative cover and 3356
substantially reducing or eliminating erosion, sedimentation, 3357
landslides, pollution, accumulation or discharge of acid water, 3358
flooding, and damage to adjacent property. The agreement may 3359
include provisions pertaining to liability for damages and any 3360
other provisions necessary or desirable to achieve the purposes 3361
of this section. 3362

If the chief makes a finding of fact that land or water 3363
resources have been adversely affected by past coal mining 3364
practices; if the adverse effects are at a stage where, in the 3365
public interest, action to restore, reclaim, abate, control, or 3366
prevent the adverse effects should be taken; and if the owners 3367
of the affected land or water resources either are not known or 3368
readily available or will not give permission for the state, 3369
political subdivisions, or their agents, employees, or 3370
contractors to enter on the property to restore, reclaim, abate, 3371
control, or prevent the adverse effects, the chief or the 3372
chief's agents, employees, or contractors may enter on the 3373
affected property in order to do all things necessary or 3374
expedient to restore, reclaim, abate, control, or prevent the 3375
adverse effects. Prior to entering on the property, the chief or 3376
the chief's agents, employees, or contractors shall give notice 3377
by mail to the owners, if known, or, if not known, by posting 3378
notice on the premises and advertising once in a newspaper of 3379
general circulation in the county or municipal corporation in 3380
which the land lies. Such an entry shall be construed as an 3381
exercise of the police power for the protection of public 3382
health, safety, and welfare and shall not be construed as an act 3383
of condemnation of property or of trespass. The moneys expended 3384
for the work and the benefits accruing to any premises so 3385
entered upon shall be chargeable against land and shall mitigate 3386

or offset any claim in or any action brought by any owner of any 3387
interest in the premises for any alleged damages by virtue of 3388
the entry. This provision is not intended to create new rights 3389
of action or eliminate existing immunities. 3390

Each agreement entered into pursuant to this section shall 3391
contain provisions for the reimbursement of a portion of the 3392
costs of the reclamation that is commensurate with the increase 3393
in the fair market value of the property attributable to the 3394
reclamation work thereon, as determined by appraisals made 3395
before and after reclamation in the manner stated in the 3396
agreement, unless the determination discloses an increase in 3397
value that is insubstantial. For reimbursement of the portion, 3398
the agreement may include provisions for any of the following: 3399

(A) Public use for soil, water, forest, or wildlife 3400
conservation or public recreation purposes; 3401

(B) Payment to the state of the share of the income from 3402
the crops or timber produced on the land that is stated in the 3403
agreement; 3404

(C) Imposition of a lien in the amount of the increase in 3405
fair market value payable upon transfer or conveyance of the 3406
property to a new owner. All such reimbursements and payments 3407
shall be credited to the unreclaimed lands fund. 3408

(D) Payment to the state in cash of the amount of the 3409
increase in fair market value, payable upon completion of the 3410
reclamation. 3411

For the purpose of selecting lands to be reclaimed within 3412
the boundaries of approved project areas, the chief shall 3413
consult the owners of unreclaimed lands, may consult with local 3414
officials, civic and professional organizations, and interested 3415

individuals, and shall consider the feasibility, cost, and 3416
public benefits of reclaiming particular lands, their potential 3417
for being mined, and the availability of federal or other 3418
assistance for reclamation. Before entering into the agreement, 3419
the chief shall prepare or approve a detailed plan with 3420
topographic maps indicating the reclamation improvements to be 3421
made. The plan may include improvements recommended by the 3422
owner, but may not include improvements that the chief finds are 3423
not necessary to establish vegetative cover or substantially 3424
reduce or eliminate erosion, sedimentation, landslides, 3425
pollution, accumulation or discharge of acid water, flooding, or 3426
damage to adjacent property. 3427

With the approval of the director and upon entering into 3428
the agreement with the owner, the chief may carry out the plan 3429
of reclamation or any part thereof with the employees and 3430
equipment of any division of the department of natural 3431
resources, or the chief may carry out the plan or any part 3432
thereof by contracting therefor. 3433

The chief, with the approval of the director and written 3434
consent of the owner, may enter into a contract with an operator 3435
mining adjacent land under a current, valid permit to carry out 3436
the plan of reclamation on the unreclaimed land or any part of 3437
the plan without advertising for bids. Contracts entered into 3438
with operators mining adjacent land are not subject to division 3439
(B) of section 127.16 of the Revised Code. 3440

The chief shall require every operator mining adjacent 3441
land who performs reclamation work pursuant to this section to 3442
pay workers at the greater of their regular rate of pay, as 3443
established by contract, agreement, or prior custom or practice, 3444
or the average wage rate paid in this state for the same or 3445

similar work performed in the same or similar locality by 3446
private companies doing their own reclamation work. Each 3447
contract awarded by the chief to other than an operator mining 3448
adjacent land shall be awarded to the lowest responsible bidder 3449
after sealed bids are received, opened, and published at the 3450
time and place fixed by the chief. The chief shall publish 3451
notice of the time and place at which bids will be received, 3452
opened, and published, at least once at least ten days before 3453
the date of the opening of the bids, in a newspaper of general 3454
circulation in the county in which the area of land to be 3455
reclaimed under the contract is located. If, after so 3456
advertising for bids, no bids are received by the chief at the 3457
time and place fixed for receiving them, the chief may advertise 3458
again for bids, or, if the chief considers the public interest 3459
will be best served, the chief may enter into a contract for the 3460
reclamation of the area of land without further advertisement 3461
for bids. The chief may reject all bids received and again 3462
publish notice of the time and place at which bids for contracts 3463
will be received, opened, and published. The chief, with the 3464
approval of the director and written consent of the owner, may 3465
enter into a contract with a licensed mine operator mining 3466
adjacent land under a valid permit to carry out the plan of 3467
reclamation on the unreclaimed land or any part of the plan 3468
without advertising for bids. 3469

Sec. 1513.28. The chief of the division of mineral 3470
resources management, with the approval of the director of 3471
natural resources, may make grants of moneys from the 3472
unreclaimed lands fund created by section 1513.30 of the Revised 3473
Code for the payment by the state of up to seventy-five per cent 3474
of the reasonable and necessary reclamation expenses incurred by 3475
the owner of any unreclaimed land affected by mining before 3476

April 10, 1972, or pursuant to a license issued before April 10, 3477
1972, that causes or may cause pollution of the waters of the 3478
state or damage to adjacent property, is not likely to be mined 3479
in the foreseeable future, and lies within the boundaries of a 3480
project area approved by the ~~council on unreclaimed strip mined~~ 3481
~~lands created in chief under section 1513.29-1513.30~~ of the 3482
Revised Code, ~~in accordance with a plan of reclamation approved~~ 3483
~~by the chief.~~ 3484

The owner shall submit application for a grant on forms 3485
furnished by the division, together with detailed plans and 3486
topographic maps indicating the reclamation improvements to be 3487
made, an itemized estimate of the project's cost, a description 3488
of the project's benefits, and such other information as the 3489
chief prescribes. The plan of reclamation may be prepared in 3490
consultation with a local soil and water conservation district. 3491

The chief may award the applicant a grant only after 3492
finding that the proposed reclamation work will establish 3493
vegetative cover and substantially reduce or eliminate erosion, 3494
sedimentation, landslides, pollution, accumulation or discharge 3495
of acid water, flooding, and damage to adjacent property. 3496

For the purpose of establishing priorities for awarding 3497
grants under this section and section 1513.31 of the Revised 3498
Code, the chief shall consider each project's feasibility, cost, 3499
and public benefits of reclaiming the particular land, its 3500
potential for being mined, and the availability of federal or 3501
other financial assistance for reclamation. 3502

The chief shall determine the amount of a grant under this 3503
section based upon the chief's determination of what constitutes 3504
reasonable and necessary expenses actually incurred for 3505
establishing vegetative cover, substantially reducing or 3506

eliminating erosion, sedimentation, landslides, pollution, 3507
accumulation or discharge of acid water, flooding, or damage to 3508
adjacent property, and preparing the plan of reclamation. The 3509
owner may elect to have other improvements made concurrently, 3510
but in no event shall any part of the grant be made for such 3511
other improvements, and in no event shall the amount of the 3512
grant exceed seventy-five per cent of the total amount, 3513
determined by the chief, of what constitutes reasonable and 3514
necessary expenses actually incurred for the reclamation 3515
measures listed in this section. 3516

The chief shall enter into a contract for funding with 3517
each applicant awarded a grant to ensure that the moneys granted 3518
are used for the purposes of this section and that the 3519
reclamation work is properly done. The final payment may not be 3520
made until the chief inspects and approves the completed 3521
reclamation work. 3522

Each such contract shall contain provisions for the 3523
reimbursement of a portion of the costs of the reclamation that 3524
is commensurate with the increase in the fair market value of 3525
the property attributable to the reclamation work thereon, as 3526
determined by appraisals made before and after reclamation in 3527
the manner stated in the agreement, unless such determination 3528
discloses an increase in value that is insubstantial in 3529
comparison to the benefits to the public from the abatement of 3530
pollution or prevention of damage to adjacent property, 3531
considering the applicant's share of the reclamation cost. For 3532
reimbursement of such portion, the contract may include 3533
provisions for: 3534

(A) Public use for soil, water, forest, or wildlife 3535
conservation or public recreation purposes; 3536

(B) Payment to the state of the share of the income from 3537
the crops or timber produced on the land that is stated in the 3538
agreement; 3539

(C) Imposition of a lien in the amount of the increase in 3540
fair market value payable upon transfer or conveyance of the 3541
property to a new owner; 3542

(D) Payment to the state in cash in the amount of the 3543
increase in fair market value, payable upon completion of the 3544
reclamation. 3545

All such reimbursements and payments shall be credited to 3546
the unreclaimed lands fund. 3547

Not more than forty per cent of the money credited to the 3548
fund during the preceding calendar year may be expended during a 3549
calendar year for grants under this section. 3550

The chief shall require every landowner performing 3551
reclamation work pursuant to this section to pay workers at the 3552
greater of their regular rate of pay, as established by 3553
contract, agreement, or prior custom or practice, or the average 3554
wage rate in this state for the same or similar work performed 3555
in the same or similar locality by private companies doing their 3556
own reclamation work. 3557

Sec. 1513.30. There is hereby created in the state 3558
treasury the unreclaimed lands fund, to be administered by the 3559
chief of the division of mineral resources management and used 3560
for the purpose of reclaiming land, public or private, affected 3561
by mining, or controlling mine drainage, for which no cash is 3562
held in the reclamation forfeiture fund created in section 3563
1513.18 of the Revised Code or the surface mining fund created 3564
in section 1514.06 of the Revised Code ~~and also for the purpose~~ 3565

~~of paying the expenses and compensation of the council on-~~ 3566
~~unreclaimed strip mined lands as required by section 1513.29 of~~ 3567
~~the Revised Code.~~ 3568

In order to direct expenditures from the unreclaimed lands 3569
fund toward reclamation projects that fulfill priority needs and 3570
provide the greatest public benefits, the chief periodically 3571
shall ~~submit to the council project proposals~~ consider projects 3572
to be financed from the unreclaimed lands fund, ~~together with~~ 3573
~~benefit and cost data and other pertinent information.~~ For the 3574
purpose of selecting project areas and determining the 3575
boundaries of project areas, the ~~council~~ chief shall consider 3576
the feasibility, cost, and public benefits of reclaiming the 3577
areas, their potential for being mined, the availability of 3578
federal or other financial assistance for reclamation, and the 3579
geographic distribution of project areas to ensure fair 3580
distribution among affected areas. 3581

The ~~council~~ chief shall give priority to areas where there 3582
is little or no likelihood of mining within the foreseeable 3583
future, reclamation is feasible at reasonable cost with 3584
available funds, and either of the following applies: 3585

(A) The pollution of the waters of the state and damage to 3586
adjacent property are most severe and widespread. 3587

(B) Reclamation will make possible public uses for soil, 3588
water, forest, or wildlife conservation or public recreation 3589
purposes, will facilitate orderly commercial or industrial site 3590
development, or will facilitate the use or improve the enjoyment 3591
of nearby public conservation or recreation lands. 3592

Expenditures from the unreclaimed lands fund for 3593
reclamation projects may be made only for projects that are 3594

within the boundaries of project areas approved by the ~~council,~~ 3595
~~and expenditures for a particular project may not exceed any~~ 3596
~~applicable limits set by the council chief.~~ Expenditures from 3597
the unreclaimed lands fund shall be made by the chief, with the 3598
approval of the director of natural resources. 3599

The chief may expend an amount not to exceed twenty per 3600
cent of the moneys credited annually by the treasurer of state 3601
to the unreclaimed lands fund for the purpose of administering 3602
the fund. 3603

The chief may engage in cooperative projects under this 3604
section with any agency of the United States, appropriate state 3605
agencies, or state universities or colleges as defined in 3606
section 3345.27 of the Revised Code and may transfer money from 3607
the fund, ~~with the approval of the council,~~ to other appropriate 3608
state agencies or to state universities or colleges in order to 3609
carry out the reclamation activities authorized by this section. 3610

If the director of natural resources determines it to be 3611
necessary, the director may request the controlling board to 3612
transfer an amount of money from the fund to the coal mining 3613
administration and reclamation reserve fund created in section 3614
1513.181 of the Revised Code. 3615

Sec. 1513.31. For the purpose of promoting local or 3616
regional economic or community development, the chief of the 3617
division of mineral resources management, with the approval of 3618
the director of natural resources, may make grants of money from 3619
the unreclaimed lands fund created by section 1513.30 of the 3620
Revised Code for the payment by the state of up to seventy-five 3621
per cent of the reasonable and necessary expenses incurred by a 3622
political subdivision, community improvement corporation 3623
incorporated under Chapter 1724. of the Revised Code, or other 3624

nonprofit corporation incorporated under Chapter 1702. of the 3625
Revised Code for the reclamation of any unreclaimed land 3626
affected by mining before April 10, 1972, or pursuant to a 3627
license issued before April 10, 1972, that is owned by the 3628
political subdivision or corporation, is to be reclaimed for the 3629
purpose of commercial or industrial site development by the 3630
political subdivision or corporation or the development of 3631
recreational facilities by the political subdivision, and lies 3632
within the boundaries of a project area approved by ~~the council~~ 3633
~~on unreclaimed strip mined lands, in accordance with a plan of~~ 3634
~~reclamation approved by~~ the chief. 3635

The owner shall submit an application for a grant on forms 3636
furnished by the division of mineral resources management 3637
together with detailed plans and topographic maps indicating the 3638
reclamation improvements to be made, an itemized estimate of the 3639
project's cost, a description of the project's benefits, and 3640
such other information as the chief prescribes. The chief may 3641
award the applicant a grant only after finding that the proposed 3642
reclamation work will render the unreclaimed land suitable for 3643
commercial, industrial, or, if the land is owned by a political 3644
subdivision, recreational site development and will 3645
substantially reduce or eliminate the damage, if any, to 3646
adjacent property that is or may be caused by the condition of 3647
the unreclaimed land. 3648

The chief shall determine the amount of the grant based 3649
upon the chief's determination of what constitutes reasonable 3650
and necessary expenses actually incurred for preparing the plan 3651
of reclamation; preparing the unreclaimed land for commercial, 3652
industrial, or, in the case of land owned by a political 3653
subdivision, recreational site development, including 3654
backfilling, grading, resoiling, planting, or other work to 3655

restore the land to a condition suitable for such development; 3656
and, if the condition of the unreclaimed land so requires, 3657
establishing vegetative cover or substantially reducing or 3658
eliminating erosion, sedimentation, landslides, pollution, 3659
accumulation or discharge of acid water, flooding, or damage to 3660
adjacent property. The owner may have other improvements made 3661
concurrently with the reclamation work, but shall not spend any 3662
part of the grant for such other improvements. No grant shall 3663
exceed seventy-five per cent of the total amount, as determined 3664
by the chief, of what constitutes reasonable and necessary 3665
expenses actually incurred for the reclamation measures listed 3666
in this section. 3667

The chief shall enter into a contract for funding with 3668
each applicant awarded a grant in order to ensure that the 3669
moneys granted are used for the purposes of this section and 3670
that the reclamation work is properly done. The final payment 3671
under a grant may not be made until the chief inspects and 3672
approves the completed reclamation work. 3673

Sec. 1513.32. For the purpose of promoting local or 3674
regional economic or community development, the chief of the 3675
division of mineral resources management, with the approval of 3676
the director of natural resources, may enter into a written 3677
agreement, which may be in the form of a contract, with a 3678
political subdivision, community improvement corporation 3679
incorporated under Chapter 1724. of the Revised Code, or other 3680
nonprofit corporation incorporated under Chapter 1702. of the 3681
Revised Code that owns any unreclaimed land affected by mining 3682
before April 10, 1972, or pursuant to a license issued before 3683
April 10, 1972, under which the state or its agents may enter 3684
upon the land to reclaim it at state expense with moneys from 3685
the unreclaimed lands fund created by section 1513.30 of the 3686

Revised Code for the purpose of commercial or industrial site 3687
development if the land is owned by a political subdivision or 3688
corporation or the development of recreational facilities if the 3689
land is owned by a political subdivision. The agreement may 3690
include provisions pertaining to liability for damages and any 3691
other provisions necessary or desirable to achieve the purposes 3692
of this section. 3693

For the purpose of selecting lands to be reclaimed for 3694
commercial, industrial, or, if the lands are owned by a 3695
political subdivision, recreational site development, the chief 3696
shall consult with the owners of unreclaimed lands and with 3697
local officials, civic and professional organizations, and 3698
interested individuals and shall consider the feasibility, cost, 3699
and public benefits of reclaiming particular lands and the 3700
availability of federal or other assistance for the reclamation. 3701
The chief shall select for reclamation under this section only 3702
lands that lie within the boundaries of a project area approved 3703
by the ~~council on unreclaimed strip mined lands~~ chief. 3704

Before entering into the agreement, the chief shall 3705
prepare or approve a detailed plan with topographic maps 3706
indicating the reclamation improvements to be made, an itemized 3707
estimate of the project's cost, a description of the project's 3708
benefits, and such other information as the chief considers 3709
appropriate. The plan shall include only reclamation work that 3710
is necessary to render the unreclaimed land suitable for 3711
commercial, industrial, or, if the land is owned by a political 3712
subdivision, recreational site development and will 3713
substantially reduce or eliminate the damage, if any, to 3714
adjacent property that is or may be caused by the condition of 3715
the unreclaimed land. The plan may include improvements 3716
recommended by the owner, but may not include any improvements 3717

that the chief finds are not necessary to prepare the 3718
unreclaimed land for commercial, industrial, or, if the land is 3719
owned by a political subdivision, recreational site development, 3720
or if the condition of the unreclaimed land so requires, are not 3721
necessary to establish vegetative cover or substantially reduce 3722
or eliminate erosion, sedimentation, landslides, pollution, 3723
accumulation or discharge of acid water, flooding, or damage to 3724
adjacent property. 3725

With the approval of the director and upon entering into 3726
an agreement with the owner, the chief may carry out the plan of 3727
reclamation or any part thereof with the employees or equipment 3728
of the department, or the chief may carry out the plan or any 3729
part thereof by contracting therefor in accordance with the 3730
procedures prescribed in section 1513.27 of the Revised Code. 3731
The chief shall keep an itemized record of the state's expense 3732
in carrying out the plan. 3733

Expenditure of not more than twenty per cent of the moneys 3734
credited to the unreclaimed lands fund during the preceding 3735
fiscal year may be approved by the ~~council on unreclaimed strip-~~ 3736
~~mined lands chief~~ during a fiscal year for conducting 3737
reclamation projects under this section and for making grants 3738
under section 1513.31 of the Revised Code, provided that such 3739
expenditures are primarily for the pollution abatement purposes 3740
of section 1513.30 of the Revised Code. 3741

Sec. 1513.37. (A) There is hereby created in the state 3742
treasury the abandoned mine reclamation fund, which shall be 3743
administered by the chief of the division of mineral resources 3744
management. The fund shall consist of grants from the secretary 3745
of the interior from the federal abandoned mine reclamation fund 3746
established by Title IV of the "Surface Mining Control and 3747

Reclamation Act of 1977," 91 Stat. 445, 30 U.S.C.A. 1201, 3748
regulations adopted under it, and amendments to the act and 3749
regulations. Expenditures from the abandoned mine reclamation 3750
fund shall be made by the chief for the following purposes: 3751

(1) Reclamation and restoration of land and water 3752
resources adversely affected by past coal mining, including, but 3753
not limited to, reclamation and restoration of abandoned strip 3754
mine areas, abandoned coal processing areas, and abandoned coal 3755
refuse disposal areas; sealing and filling of abandoned deep 3756
mine entries and voids; planting of land adversely affected by 3757
past coal mining; prevention of erosion and sedimentation; 3758
prevention, abatement, treatment, and control of water pollution 3759
created by coal mine drainage, including restoration of 3760
streambeds and construction and operation of water treatment 3761
plants; prevention, abatement, and control of burning coal 3762
refuse disposal areas and burning coal in situ; and prevention, 3763
abatement, and control of coal mine subsidence; 3764

(2) Acquisition and filling of voids and sealing of 3765
tunnels, shafts, and entryways of noncoal lands; 3766

(3) Acquisition of land as provided for in this section; 3767

(4) Administrative expenses incurred in accomplishing the 3768
purposes of this section; 3769

(5) All other necessary expenses to accomplish the 3770
purposes of this section. 3771

(B) Expenditures of moneys from the fund on land and water 3772
eligible pursuant to division (C) of this section shall reflect 3773
the following priorities in the order stated: 3774

(1) The protection of public health, safety, general 3775
welfare, and property from extreme danger of adverse effects of 3776

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|--|--|
| coal mining practices; | 3777 |
| (2) The protection of public health, safety, and general welfare from adverse effects of coal mining practices; | 3778 3779 |
| (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; | 3780 3781 3782 3783 3784 3785 |
| (4) Research and demonstration projects relating to the development of coal mining reclamation and water quality control program methods and techniques; | 3786 3787 3788 |
| (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; | 3789 3790 3791 3792 |
| (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. | 3793 3794 3795 3796 |
| (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: | 3797 3798 3799 3800 3801 |
| (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; | 3802 3803 3804 3805 |

(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 3836
financial guarantee is not sufficient to provide for adequate 3837
reclamation or abatement, except that if conditions warrant, the 3838
chief immediately shall exercise the authority granted under 3839
division (L) of this section. 3840

(D) The chief may submit to the secretary of the interior 3841
a state reclamation plan and annual projects to carry out the 3842
purposes of this section. 3843

(1) The reclamation plan generally shall identify the 3844
areas to be reclaimed, the purposes for which the reclamation is 3845
proposed, the relationship of the lands to be reclaimed and the 3846
proposed reclamation to surrounding areas, the specific criteria 3847
for ranking and identifying projects to be funded, and the legal 3848
authority and programmatic capability to perform the work in 3849
accordance with this section. 3850

(2) On an annual basis, the chief may submit to the 3851
secretary an application for support of the abandoned mine 3852
reclamation fund and implementation of specific reclamation 3853
projects. The annual requests shall include such information as 3854
may be requested by the secretary. 3855

~~Before submitting an annual application to the secretary, 3856
the chief first shall submit it to the council on unreclaimed 3857
strip mined lands for review and approval by the council. The 3858
chief shall not submit such an application to the secretary 3859
until it has been approved by the council. The chief shall 3860
submit applications for administrative costs, imminent hazards, 3861
or emergency projects to the council for review. 3862~~

(3) The costs for each proposed project under this section 3863
shall include actual construction costs, actual operation and 3864

maintenance costs of permanent facilities, planning and 3865
engineering costs, construction inspection costs, and other 3866
necessary administrative expenses. 3867

~~(4) Before making any expenditure of funds from the fund- 3868
to implement any specific reclamation project under this- 3869
section, the chief first shall submit to the council a project- 3870
proposal and any other pertinent information regarding the- 3871
project requested by the council for review and approval of the- 3872
specific project by the council. 3873~~

~~(5) The chief may submit annual and other reports required 3874
by the secretary when funds are provided by the secretary under 3875
Title IV of the "Surface Mining Control and Reclamation Act of 3876
1977," 91 Stat. 445, 30 U.S.C.A. 1201, regulations adopted under 3877
it, and amendments to the act and regulations. 3878~~

(E) (1) There is hereby created in the state treasury the 3879
acid mine drainage abatement and treatment fund, which shall be 3880
administered by the chief. The fund shall consist of grants from 3881
the secretary of the interior from the federal abandoned mine 3882
reclamation fund pursuant to section 402(g) (6) of Title IV of 3883
the "Surface Mining Control and Reclamation Act of 1977," 91 3884
Stat. 445, 30 U.S.C.A. 1201. All investment earnings of the fund 3885
shall be credited to the fund. 3886

(2) The chief shall make expenditures from the fund, in 3887
consultation with the United States department of agriculture, 3888
soil conservation service, to implement acid mine drainage 3889
abatement and treatment plans approved by the secretary. The 3890
plans shall provide for the comprehensive abatement of the 3891
causes and treatment of the effects of acid mine drainage within 3892
qualified hydrologic units affected by coal mining practices and 3893
shall include at least all of the following: 3894

| | |
|--|------|
| (a) An identification of the qualified hydrologic unit. As | 3895 |
| used in division (E) of this section, "qualified hydrologic | 3896 |
| unit" means a hydrologic unit that meets all of the following | 3897 |
| criteria: | 3898 |
| (i) The water quality in the unit has been significantly | 3899 |
| affected by acid mine drainage from coal mining practices in a | 3900 |
| manner that has an adverse impact on biological resources. | 3901 |
| (ii) The unit contains lands and waters that meet the | 3902 |
| eligibility requirements established under division (C) of this | 3903 |
| section and any of the priorities established in divisions (B) | 3904 |
| (1) to (3) of this section. | 3905 |
| (iii) The unit contains lands and waters that are proposed | 3906 |
| to be the subject of expenditures from the reclamation | 3907 |
| forfeiture fund created in section 1513.18 of the Revised Code | 3908 |
| or the unreclaimed lands fund created in section 1513.30 of the | 3909 |
| Revised Code. | 3910 |
| (b) The extent to which acid mine drainage is affecting | 3911 |
| the water quality and biological resources within the hydrologic | 3912 |
| unit; | 3913 |
| (c) An identification of the sources of acid mine drainage | 3914 |
| within the hydrologic unit; | 3915 |
| (d) An identification of individual projects and the | 3916 |
| measures proposed to be undertaken to abate and treat the causes | 3917 |
| or effects of acid mine drainage within the hydrologic unit; | 3918 |
| (e) The cost of undertaking the proposed abatement and | 3919 |
| treatment measures; | 3920 |
| (f) An identification of existing and proposed sources of | 3921 |
| funding for those measures; | 3922 |

| | |
|--|------|
| (g) An analysis of the cost-effectiveness and | 3923 |
| environmental benefits of abatement and treatment measures. | 3924 |
| (3) The chief may make grants of moneys from the acid mine | 3925 |
| drainage abatement and treatment fund to watershed groups for | 3926 |
| conducting projects to accomplish the purposes of this section. | 3927 |
| A grant may be made in an amount equal to not more than fifty | 3928 |
| per cent of each of the following: | 3929 |
| (a) Reasonable and necessary expenses for the collection | 3930 |
| and analysis of data sufficient to do either or both of the | 3931 |
| following: | 3932 |
| (i) Identify a watershed as a qualified hydrologic unit; | 3933 |
| (ii) Monitor the quality of water in a qualified | 3934 |
| hydrologic unit before, during, and at any time after completion | 3935 |
| of the project by the watershed group. | 3936 |
| (b) Engineering design costs and construction costs | 3937 |
| involved in the project, provided that the project is conducted | 3938 |
| in a qualified hydrologic unit and the chief considers the | 3939 |
| project to be a priority. | 3940 |
| A watershed group that wishes to obtain a grant under | 3941 |
| division (E) (3) of this section shall submit an application to | 3942 |
| the chief on forms provided by the division of mineral resources | 3943 |
| management, together with detailed estimates and timetables for | 3944 |
| accomplishing the stated goals of the project and any other | 3945 |
| information that the chief requires. | 3946 |
| For the purposes of establishing priorities for awarding | 3947 |
| grants under division (E) (3) of this section, the chief shall | 3948 |
| consider each project's feasibility, cost-effectiveness, and | 3949 |
| environmental benefit, together with the availability of | 3950 |
| matching funding, including in-kind services, for the project. | 3951 |

The chief shall enter into a contract for funding with 3952
each applicant awarded a grant to ensure that the moneys granted 3953
are used for the purposes of this section and that the work that 3954
the project involves is done properly. The contract is not 3955
subject to division (B) of section 127.16 of the Revised Code. 3956
The final payment of grant moneys shall not be made until the 3957
chief inspects and approves the completed project. 3958

The chief shall require each applicant awarded a grant 3959
under this section who conducts a project involving construction 3960
work to pay workers at the greater of their regular rate of pay, 3961
as established by contract, agreement, or prior custom or 3962
practice, or the average wage rate paid in this state for the 3963
same or similar work performed in the same or a similar locality 3964
by private companies doing similar work on similar projects. 3965

As used in division (E) (3) of this section, "watershed 3966
group" means a charitable organization as defined in section 3967
1716.01 of the Revised Code that has been established for the 3968
purpose of conducting reclamation of land and waters adversely 3969
affected by coal mining practices and specifically for 3970
conducting acid mine drainage abatement. 3971

(F) (1) If the chief makes a finding of fact that land or 3972
water resources have been adversely affected by past coal mining 3973
practices; the adverse effects are at a stage where, in the 3974
public interest, action to restore, reclaim, abate, control, or 3975
prevent the adverse effects should be taken; the owners of the 3976
land or water resources where entry must be made to restore, 3977
reclaim, abate, control, or prevent the adverse effects of past 3978
coal mining practices are not known or are not readily 3979
available; or the owners will not give permission for the state, 3980
political subdivisions, or their agents, employees, or 3981

contractors to enter upon the property to restore, reclaim, 3982
abate, control, or prevent the adverse effects of past coal 3983
mining practices; then, upon giving notice by mail to the 3984
owners, if known, or, if not known, by posting notice upon the 3985
premises and advertising once in a newspaper of general 3986
circulation in the municipal corporation or county in which the 3987
land lies, the chief or the chief's agents, employees, or 3988
contractors may enter upon the property adversely affected by 3989
past coal mining practices and any other property to have access 3990
to the property to do all things necessary or expedient to 3991
restore, reclaim, abate, control, or prevent the adverse 3992
effects. The entry shall be construed as an exercise of the 3993
police power for the protection of the public health, safety, 3994
and general welfare and shall not be construed as an act of 3995
condemnation of property nor of trespass on it. The moneys 3996
expended for the work and the benefits accruing to any such 3997
premises so entered upon shall be chargeable against the land 3998
and shall mitigate or offset any claim in or any action brought 3999
by any owner of any interest in the premises for any alleged 4000
damages by virtue of the entry, but this provision is not 4001
intended to create new rights of action or eliminate existing 4002
immunities. 4003

(2) The chief or the chief's authorized representatives 4004
may enter upon any property for the purpose of conducting 4005
studies or exploratory work to determine the existence of 4006
adverse effects of past coal mining practices and to determine 4007
the feasibility of restoration, reclamation, abatement, control, 4008
or prevention of such adverse effects. The entry shall be 4009
construed as an exercise of the police power for the protection 4010
of the public health, safety, and general welfare and shall not 4011
be construed as an act of condemnation of property nor trespass 4012

on it. 4013

(3) The chief may acquire any land by purchase, donation, 4014
or condemnation that is adversely affected by past coal mining 4015
practices if the chief determines that acquisition of the land 4016
is necessary to successful reclamation and that all of the 4017
following apply: 4018

(a) The acquired land, after restoration, reclamation, 4019
abatement, control, or prevention of the adverse effects of past 4020
coal mining practices, will serve recreation and historic 4021
purposes, serve conservation and reclamation purposes, or 4022
provide open space benefits. 4023

(b) Permanent facilities such as a treatment plant or a 4024
relocated stream channel will be constructed on the land for the 4025
restoration, reclamation, abatement, control, or prevention of 4026
the adverse effects of past coal mining practices. 4027

(c) Acquisition of coal refuse disposal sites and all coal 4028
refuse thereon will serve the purposes of this section or public 4029
ownership is desirable to meet emergency situations and prevent 4030
recurrences of the adverse effects of past coal mining 4031
practices. 4032

(4) (a) Title to all lands acquired pursuant to this 4033
section shall be in the name of the state. The price paid for 4034
land acquired under this section shall reflect the market value 4035
of the land as adversely affected by past coal mining practices. 4036

(b) The chief may receive grants on a matching basis from 4037
the secretary of the interior for the purpose of carrying out 4038
this section. 4039

(5) (a) Where land acquired pursuant to this section is 4040
considered to be suitable for industrial, commercial, 4041

residential, or recreational development, the chief may sell the 4042
land by public sale under a system of competitive bidding at not 4043
less than fair market value and under other requirements imposed 4044
by rule to ensure that the lands are put to proper use 4045
consistent with local and state land use plans, if any, as 4046
determined by the chief. 4047

(b) The chief, when requested, and after appropriate 4048
public notice, shall hold a public meeting in the county, 4049
counties, or other appropriate political subdivisions of the 4050
state in which lands acquired pursuant to this section are 4051
located. The meetings shall be held at a time that shall afford 4052
local citizens and governments the maximum opportunity to 4053
participate in the decision concerning the use or disposition of 4054
the lands after restoration, reclamation, abatement, control, or 4055
prevention of the adverse effects of past coal mining practices. 4056

(6) In addition to the authority to acquire land under 4057
division (F)(3) of this section, the chief may use money in the 4058
fund to acquire land by purchase, donation, or condemnation, and 4059
to reclaim and transfer acquired land to a political 4060
subdivision, or to any person, if the chief determines that it 4061
is an integral and necessary element of an economically feasible 4062
plan for the construction or rehabilitation of housing for 4063
persons disabled as the result of employment in the mines or 4064
work incidental to that employment, persons displaced by 4065
acquisition of land pursuant to this section, persons dislocated 4066
as the result of adverse effects of coal mining practices that 4067
constitute an emergency as provided in the "Surface Mining 4068
Control and Reclamation Act of 1977," 91 Stat. 466, 30 U.S.C.A. 4069
1240, or amendments to it, or persons dislocated as the result 4070
of natural disasters or catastrophic failures from any cause. 4071
Such activities shall be accomplished under such terms and 4072

conditions as the chief requires, which may include transfers of 4073
land with or without monetary consideration, except that to the 4074
extent that the consideration is below the fair market value of 4075
the land transferred, no portion of the difference between the 4076
fair market value and the consideration shall accrue as a profit 4077
to those persons. No part of the funds provided under this 4078
section may be used to pay the actual construction costs of 4079
housing. The chief may carry out the purposes of division (F) (6) 4080
of this section directly or by making grants and commitments for 4081
grants and may advance money under such terms and conditions as 4082
the chief may require to any agency or instrumentality of the 4083
state or any public body or nonprofit organization designated by 4084
the chief. 4085

(G) (1) Within six months after the completion of projects 4086
to restore, reclaim, abate, control, or prevent adverse effects 4087
of past coal mining practices on privately owned land, the chief 4088
shall itemize the moneys so expended and may file a statement of 4089
the expenditures in the office of the county recorder of the 4090
county in which the land lies, together with a notarized 4091
appraisal by an independent appraiser of the value of the land 4092
before the restoration, reclamation, abatement, control, or 4093
prevention of adverse effects of past coal mining practices if 4094
the moneys so expended result in a significant increase in 4095
property value. The statement shall constitute a lien upon the 4096
land as of the date of the expenditures of the moneys and shall 4097
have priority as a lien second only to the lien of real property 4098
taxes imposed upon the land. The lien shall not exceed the 4099
amount determined by the appraisal to be the increase in the 4100
fair market value of the land as a result of the restoration, 4101
reclamation, abatement, control, or prevention of the adverse 4102
effects of past coal mining practices. No lien shall be filed 4103

under division (G) of this section against the property of any 4104
person who owned the surface prior to May 2, 1977, and did not 4105
consent to, participate in, or exercise control over the mining 4106
operation that necessitated the reclamation performed. 4107

(2) The landowner may petition, within sixty days after 4108
the filing of the lien, to determine the increase in the fair 4109
market value of the land as a result of the restoration, 4110
reclamation, abatement, control, or prevention of the adverse 4111
effects of past coal mining practices. The amount reported to be 4112
the increase in value of the premises shall constitute the 4113
amount of the lien and shall be recorded with the statement 4114
provided in this section. Any party aggrieved by the decision 4115
may appeal as provided by state law. 4116

(3) The lien provided in division (G) of this section 4117
shall be recorded and indexed, under the name of the state and 4118
the landowner, in the official records in the office of the 4119
county recorder of the county in which the land lies. The county 4120
recorder shall impose no charge for the recording or indexing of 4121
the lien. If the land is registered, the county recorder shall 4122
make a notation and enter a memorial of the lien upon the page 4123
of the register in which the last certificate of title to the 4124
land is registered, stating the name of the claimant, amount 4125
claimed, volume and page of the record where recorded, and exact 4126
time the memorial was entered. 4127

(4) The lien shall continue in force so long as any 4128
portion of the amount of the lien remains unpaid. If the lien 4129
remains unpaid at the time of conveyance of the land on which 4130
the lien was placed, the conveyance may be set aside. Upon 4131
repayment in full of the moneys expended under this section, the 4132
chief promptly shall issue a certificate of release of the lien. 4133

Upon presentation of the certificate of release, the county 4134
recorder of the county in which the lien is recorded shall 4135
record the lien as having been discharged. 4136

(5) A lien imposed under this section shall be foreclosed 4137
upon the substantial failure of a landowner to pay any portion 4138
of the amount of the lien. Before foreclosing any lien under 4139
this section, the chief shall make a written demand upon the 4140
landowner for payment. If the landowner does not pay the amount 4141
due within sixty days, the chief shall refer the matter to the 4142
attorney general, who shall institute a civil action to 4143
foreclose the lien. 4144

(H) (1) The chief may fill voids, seal abandoned tunnels, 4145
shafts, and entryways, and reclaim surface impacts of 4146
underground or strip mines that the chief determines could 4147
endanger life and property, constitute a hazard to the public 4148
health and safety, or degrade the environment. 4149

(2) In those instances where mine waste piles are being 4150
reworked for conservation purposes, the incremental costs of 4151
disposing of the wastes from those operations by filling voids 4152
and sealing tunnels may be eligible for funding, provided that 4153
the disposal of these wastes meets the purposes of this section. 4154

(3) The chief may acquire by purchase, donation, easement, 4155
or otherwise such interest in land as the chief determines 4156
necessary to carry out division (H) of this section. 4157

(I) The chief shall report annually to the secretary of 4158
the interior on operations under the fund and include 4159
recommendations as to its future uses. 4160

(J) (1) The chief may engage in any work and do all things 4161
necessary or expedient, including the adoption of rules, to 4162

implement and administer this section. 4163

(2) The chief may engage in cooperative projects under 4164
this section with any agency of the United States, any other 4165
state, or their governmental agencies or with any state 4166
university or college as defined in section 3345.27 of the 4167
Revised Code. The cooperative projects are not subject to 4168
division (B) of section 127.16 of the Revised Code. 4169

(3) The chief may request the attorney general to initiate 4170
in any court of competent jurisdiction an action in equity for 4171
an injunction to restrain any interference with the exercise of 4172
the right to enter or to conduct any work provided in this 4173
section, which remedy is in addition to any other remedy 4174
available under this section. 4175

(4) The chief may construct or operate a plant or plants 4176
for the control and treatment of water pollution resulting from 4177
mine drainage. The extent of this control and treatment may be 4178
dependent upon the ultimate use of the water. Division (J)(4) of 4179
this section does not repeal or supersede any portion of the 4180
"Federal Water Pollution Control Act," 70 Stat. 498 (1965), 33 4181
U.S.C.A. 1151, as amended, and no control or treatment under 4182
division (J)(4) of this section, in any way, shall be less than 4183
that required by that act. The construction of a plant or plants 4184
may include major interceptors and other facilities appurtenant 4185
to the plant. 4186

(5) The chief may transfer money from the abandoned mine 4187
reclamation fund and the acid mine drainage abatement and 4188
treatment fund to other appropriate state agencies or to state 4189
universities or colleges in order to carry out the reclamation 4190
activities authorized by this section. 4191

(K) The chief may contract for any part of work to be 4192
performed under this section, with or without advertising for 4193
bids, if the chief determines that a condition exists that could 4194
reasonably be expected to cause substantial physical harm to 4195
persons, property, or the environment and to which persons or 4196
improvements on real property are currently exposed. 4197

The chief shall require every contractor performing 4198
reclamation work under this section to pay its workers at the 4199
greater of their regular rate of pay, as established by 4200
contract, agreement, or prior custom or practice, or the average 4201
wage rate paid in this state for the same or similar work as 4202
determined by the chief under section 1513.02 of the Revised 4203
Code. 4204

(L) (1) The chief may contract for the emergency 4205
restoration, reclamation, abatement, control, or prevention of 4206
adverse effects of mining practices on eligible lands if the 4207
chief determines that an emergency exists constituting a danger 4208
to the public health, safety, or welfare and that no other 4209
person or agency will act expeditiously to restore, reclaim, 4210
abate, control, or prevent those adverse effects. The chief may 4211
enter into a contract for emergency work under division (L) of 4212
this section without advertising for bids. Any such contract or 4213
any purchase of materials for emergency work under division (L) 4214
of this section is not subject to division (B) of section 127.16 4215
of the Revised Code. 4216

(2) The chief or the chief's agents, employees, or 4217
contractors may enter on any land where such an emergency 4218
exists, and on other land in order to have access to that land, 4219
in order to restore, reclaim, abate, control, or prevent the 4220
adverse effects of mining practices and to do all things 4221

necessary or expedient to protect the public health, safety, or 4222
welfare. Such an entry shall be construed as an exercise of the 4223
police power and shall not be construed as an act of 4224
condemnation of property or of trespass. The moneys expended for 4225
the work and the benefits accruing to any premises so entered 4226
upon shall be chargeable against the land and shall mitigate or 4227
offset any claim in or any action brought by any owner of any 4228
interest in the premises for any alleged damages by virtue of 4229
the entry. This provision is not intended to create new rights 4230
of action or eliminate existing immunities. 4231

Sec. 1517.23. ~~With the advice of the Ohio natural areas~~ 4232
~~council created in section 1517.03 of the Revised Code, the~~ The 4233
chief of the division of natural areas and preserves shall do 4234
both of the following: 4235

(A) Formulate policies and plans and establish a program 4236
incorporating them for the identification and protection of the 4237
state's cave resources and adopt, amend, or rescind rules in 4238
accordance with Chapter 119. of the Revised Code to implement 4239
that program; 4240

(B) Provide technical assistance and management advice to 4241
owners upon request concerning the protection of caves on their 4242
land. 4243

Sec. 1546.06. The chief of the division of parks and 4244
watercraft shall prepare and submit to the director of natural 4245
resources maps and descriptions of the areas of lands and waters 4246
which the chief intends to designate as state park purchase 4247
areas. Such state park purchase areas may include lands and 4248
waters at the time belonging to the state, together with lands 4249
and waters not belonging to the state but which for reasons of 4250
protection, utilization, and administration should be subject to 4251

purchase by the state for park purposes. If such area is 4252
approved by the director ~~and the recreation and resources~~ 4253
~~council created in section 1501.04 of the Revised Code~~, it shall 4254
be known as a state park purchase area, and the map and 4255
description thereof, with the approval of the director indorsed 4256
thereon, shall be filed in duplicate with the auditor of state 4257
and the attorney general. 4258

All moneys appropriated for the purchase of lands and 4259
waters by the state for park purposes, unless specifically 4260
appropriated for the purchase of particular tracts or areas, may 4261
be expended for the purchase of lands or waters within any 4262
legally established state park purchase area. If, after the 4263
purchase of specifically designated tracts or areas, moneys from 4264
such appropriations remain unexpended, upon the request of the 4265
director, the controlling board shall release such funds, in 4266
whole or in part, for the purchase of lands or waters within any 4267
state park purchase area. 4268

Sec. 1547.81. The director of natural resources or the 4269
director's representative may create, supervise, operate, 4270
protect, and maintain wild, scenic, and recreational river 4271
areas. In creating wild, scenic, and recreational river areas, 4272
the director shall classify each such area as either a wild 4273
river area, a scenic river area, or a recreational river area. 4274
The director or the director's representative may prepare and 4275
maintain a plan for the establishment, development, use, and 4276
administration of those areas as a part of the comprehensive 4277
state plans for water management and outdoor recreation. The 4278
director or the director's representative may cooperate with 4279
federal agencies administering any federal program concerning 4280
wild, scenic, or recreational river areas. 4281

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~~ 4313
~~in section 1501.04 of the Revised Code,~~ may terminate the status 4314
of an area as a wild river area, scenic river area, or 4315
recreational river area by an entry in the director's journal. 4316

Declaration by the director that an area is a wild, 4317
scenic, or recreational river area does not authorize the 4318
director or any governmental agency or political subdivision to 4319
restrict the use of land by the owner thereof or any person 4320
acting under the landowner's authority or to enter upon the land 4321
and does not expand or abridge the regulatory authority of any 4322
governmental agency or political subdivision over the area. 4323

The director may enter into a lease or other agreement 4324
with a political subdivision to administer all or part of a 4325
wild, scenic, or recreational river area and may acquire real 4326
property or any estate, right, or interest therein in order to 4327
provide for the protection and public recreational use of a 4328
wild, scenic, or recreational river area. 4329

The chief of the division of parks and watercraft or the 4330
chief's representative may participate in watershed-wide 4331
planning with federal, state, and local agencies in order to 4332
protect the values of wild, scenic, and recreational river 4333
areas. 4334

Sec. 1551.35. (A) There is hereby established a technical 4335
advisory committee to assist the director of the Ohio coal 4336
development office in achieving the office's purposes. The 4337
director of development services shall appoint to the committee 4338
one member of the public utilities commission and one 4339
representative each of coal production companies, the united 4340
mine workers of America, and electric utilities, ~~manufacturers~~ 4341
~~that use Ohio coal, and environmental organizations,~~ as well as 4342

two people with a background in coal research and development 4343
technology, one of whom is employed at the time of the member's 4344
appointment by a state university, as defined in section 4345
3345.011 of the Revised Code. In addition, the committee shall 4346
include four legislative members. The speaker and minority 4347
leader of the house of representatives each shall appoint one 4348
member of the house of representatives, and the president and 4349
minority leader of the senate each shall appoint one member of 4350
the senate, to the committee. The director of environmental 4351
protection shall serve on the committee as an ex officio member. 4352
Any member of the committee may designate in writing a 4353
substitute to serve in the member's absence on the committee. 4354
The director of environmental protection may designate in 4355
writing the chief of the air pollution control division of the 4356
agency to represent the agency. Members shall serve on the 4357
committee at the pleasure of their appointing authority. Members 4358
of the committee appointed by the director of development 4359
services and, notwithstanding section 101.26 of the Revised 4360
Code, legislative members of the committee, when engaged in 4361
their official duties as members of the committee, shall be 4362
compensated on a per diem basis in accordance with division (J) 4363
of section 124.15 of the Revised Code, except that the member of 4364
the public utilities commission and, while employed by a state 4365
university, the member with a background in coal research, shall 4366
not be so compensated. Members shall receive their actual and 4367
necessary expenses incurred in the performance of their duties. 4368

(B) The technical advisory committee shall review and make 4369
recommendations concerning the Ohio coal development agenda 4370
required under section 1551.34 of the Revised Code, project 4371
proposals, research and development projects submitted to the 4372
office by public utilities for the purpose of section 4905.304 4373

of the Revised Code, proposals for grants, loans, and loan 4374
guarantees for purposes of sections 1555.01 to 1555.06 of the 4375
Revised Code, and such other topics as the director of the 4376
office considers appropriate. 4377

(C) The technical advisory committee may hold an executive 4378
session at any regular or special meeting for the purpose of 4379
considering research and development project proposals or 4380
applications for assistance submitted to the Ohio coal 4381
development office under section 1551.33, or sections 1555.01 to 4382
1555.06, of the Revised Code, to the extent that the proposals 4383
or applications consist of trade secrets or other proprietary 4384
information. 4385

Any materials or data submitted to, made available to, or 4386
received by the development services agency or the director of 4387
the Ohio coal development office in connection with agreements 4388
for assistance entered into under this chapter or Chapter 1555. 4389
of the Revised Code, or any information taken from those 4390
materials or data for any purpose, to the extent that the 4391
materials or data consist of trade secrets or other proprietary 4392
information, are not public records for the purposes of section 4393
149.43 of the Revised Code. 4394

As used in this division, "trade secrets" has the same 4395
meaning as in section 1333.61 of the Revised Code. 4396

Sec. 1557.06. (A) The parks and natural resources local 4397
assistance grant program is hereby established to provide grants 4398
to local government entities for capital improvements for the 4399
acquisition, construction, reconstruction, expansion, 4400
improvement, planning, and equipping of capital projects that 4401
enhance the use and enjoyment of natural resources by 4402
individuals. Such projects include, but are not limited to, the 4403

acquisition of lands, facilities, and waters for public 4404
recreation, or for the preservation of wetlands or unique 4405
habitats; the development, construction, reconstruction, 4406
expansion, or rehabilitation of recreation areas and facilities; 4407
and projects to provide public park and recreation opportunities 4408
by improving public access or safety. Grants shall not be 4409
awarded for administrative, operating, or maintenance costs; or 4410
for areas, facilities, or structures for athletics, arts, 4411
historic sites, or other purposes, that are not used primarily 4412
for public recreation. 4413

The director of natural resources shall administer the 4414
parks and natural resources local assistance grant program in 4415
accordance with procedures and criteria that the director shall 4416
develop ~~with the approval of the recreation and resources-~~ 4417
~~council created in section 1501.04 of the Revised Code.~~ 4418

(B) Grants awarded under this section may provide up to 4419
seventy-five per cent of the total project costs approved by the 4420
director. At least twenty per cent of such costs must be 4421
provided by the grant recipient from nonstate, nonfederal 4422
sources. Local government entities may apply for grants 4423
individually or jointly. 4424

(C) The criteria developed for the administration of the 4425
program shall require a local government entity receiving a 4426
grant for a project under this section to have sufficient real 4427
property interests in the project for the purposes of the 4428
obligations issued under this chapter, and shall require that 4429
the projects be retained and used in a manner consistent with 4430
the purposes of Section 21 of Article VIII, Ohio Constitution. 4431

(D) The director shall allocate to each county a portion 4432
of the proceeds of the first two hundred million dollars 4433

principal amount in obligations issued under this chapter, for 4434
projects of local government entities within each county. The 4435
director shall determine each county's allocation by calculating 4436
both of the following for each county: 4437

(1) Its per capita share of forty million dollars; 4438

(2) Its per capita share of thirty million dollars plus 4439
one hundred thirteen thousand six hundred thirty-six dollars. 4440

The larger of the amount calculated under division (D) (1) 4441
or (2) of this section for each county shall be that county's 4442
allocation, and whatever percentage of the first two hundred 4443
million dollars principal amount in obligations issued under 4444
this chapter that is necessary to satisfy the requirements of 4445
division (D) of this section, shall be so allocated. 4446

(E) The director shall allocate to each county a portion 4447
of twenty per cent of the proceeds in excess of the first two 4448
hundred million dollars principal amount in obligations issued 4449
under this chapter, for projects of local government entities 4450
within each county. The director shall determine each county's 4451
allocation by calculating both of the following and combining 4452
the amounts calculated for each county: 4453

(1) One-third of twenty per cent of the proceeds to be 4454
divided equally among all of the counties; 4455

(2) Two-thirds of twenty per cent of the proceeds to be 4456
distributed on a per capita basis to each county. 4457

(F) Any moneys granted under division (E) of this section 4458
and not obligated within a county after two funding cycles, at 4459
the discretion of the director, shall be reallocated to projects 4460
either in the county to which they originally were allocated or 4461
in other counties demonstrating a need for the funds. 4462

| | |
|---|------|
| Sec. 2933.82. (A) As used in this section: | 4463 |
| (1) (a) "Biological evidence" means any of the following: | 4464 |
| (i) The contents of a sexual assault examination kit; | 4465 |
| (ii) Any item that contains blood, semen, hair, saliva, | 4466 |
| skin tissue, fingernail scrapings, bone, bodily fluids, or any | 4467 |
| other identifiable biological material that was collected as | 4468 |
| part of a criminal investigation or delinquent child | 4469 |
| investigation and that reasonably may be used to incriminate or | 4470 |
| exculpate any person for an offense or delinquent act. | 4471 |
| (b) The definition of "biological evidence" set forth in | 4472 |
| division (A) (1) (a) of this section applies whether the material | 4473 |
| in question is cataloged separately, such as on a slide or swab | 4474 |
| or in a test tube, or is present on other evidence, including, | 4475 |
| but not limited to, clothing, ligatures, bedding or other | 4476 |
| household material, drinking cups or containers, or cigarettes. | 4477 |
| (2) "Biological material" has the same meaning as in | 4478 |
| section 2953.71 of the Revised Code. | 4479 |
| (3) "DNA," "DNA analysis," "DNA database," "DNA record," | 4480 |
| and "DNA specimen" have the same meanings as in section 109.573 | 4481 |
| of the Revised Code. | 4482 |
| (4) "Prosecutor" has the same meaning as in section | 4483 |
| 2935.01 of the Revised Code. | 4484 |
| (5) "Governmental evidence-retention entity" means all of | 4485 |
| the following: | 4486 |
| (a) Any law enforcement agency, prosecutor's office, | 4487 |
| court, public hospital, crime laboratory, or other governmental | 4488 |
| or public entity or individual within this state that is charged | 4489 |
| with the collection, storage, or retrieval of biological | 4490 |

evidence; 4491

(b) Any official or employee of any entity or individual 4492
described in division (A) (5) (a) of this section. 4493

(B) (1) Each governmental evidence-retention entity that 4494
secures any biological evidence in relation to an investigation 4495
or prosecution of a criminal offense or delinquent act that is a 4496
violation of section 2903.01, 2903.02, or 2903.03, a violation 4497
of section 2903.04 or 2903.06 that is a felony of the first or 4498
second degree, a violation of section 2907.02 or 2907.03 or 4499
division (A) (4) or (B) of section 2907.05 of the Revised Code, 4500
or an attempt to commit a violation of section 2907.02 of the 4501
Revised Code shall secure the biological evidence for whichever 4502
of the following periods of time is applicable: 4503

(a) For a violation of section 2903.01 or 2903.02 of the 4504
Revised Code, for the period of time that the offense or act 4505
remains unsolved; 4506

(b) For a violation of section 2903.03, a violation of 4507
section 2903.04 or 2903.06 that is a felony of the first or 4508
second degree, a violation of section 2907.02 or 2907.03 or of 4509
division (A) (4) or (B) of section 2907.05 of the Revised Code, 4510
or an attempt to commit a violation of section 2907.02 of the 4511
Revised Code, for a period of thirty years if the offense or act 4512
remains unsolved; 4513

(c) If any person is convicted of or pleads guilty to the 4514
offense, or is adjudicated a delinquent child for committing the 4515
delinquent act, for the earlier of the following: (i) the 4516
expiration of the latest of the following periods of time that 4517
apply to the person: the period of time that the person is 4518
incarcerated, is in a department of youth services institution 4519

or other juvenile facility, is under a community control 4520
sanction for that offense, is under any order of disposition for 4521
that act, is on probation or parole for that offense, is under 4522
judicial release or supervised release for that act, is under 4523
post-release control for that offense, is involved in civil 4524
litigation in connection with that offense or act, or is subject 4525
to registration and other duties imposed for that offense or act 4526
under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 4527
Revised Code or (ii) thirty years. If after the period of thirty 4528
years the person remains incarcerated, then the governmental 4529
evidence-retention entity shall secure the biological evidence 4530
until the person is released from incarceration or dies. 4531

(2) (a) A law enforcement agency shall review all of its 4532
records and reports pertaining to its investigation of any 4533
offense specified in division (B) (1) of this section as soon as 4534
possible after ~~the effective date of this amendment~~ March 23, 4535
2015. If the law enforcement agency's review determines that one 4536
or more persons may have committed or participated in an offense 4537
specified in division (B) (1) of this section or another offense 4538
committed during the course of an offense specified in division 4539
(B) (1) of this section and the agency is in possession of a 4540
sexual assault examination kit secured during the course of the 4541
agency's investigation, as soon as possible, but not later than 4542
one year after ~~the effective date of this amendment~~ March 23, 4543
2015, the agency shall forward the contents of the kit to the 4544
bureau of criminal identification and investigation or another 4545
crime laboratory for a DNA analysis of the contents of the kit 4546
if a DNA analysis has not previously been performed on the 4547
contents of the kit. The law enforcement agency shall consider 4548
the period of time remaining under section 2901.13 of the 4549
Revised Code for commencing the prosecution of a criminal 4550

offense related to the DNA specimens from the kit as well as 4551
other relevant factors in prioritizing the forwarding of the 4552
contents of sexual assault examination kits. 4553

(b) If an investigation is initiated on or after ~~the~~ 4554
~~effective date of this amendment~~ March 23, 2015, and if a law 4555
enforcement agency investigating an offense specified in 4556
division (B) (1) of this section determines that one or more 4557
persons may have committed or participated in an offense 4558
specified in division (B) (1) of this section or another offense 4559
committed during the course of an offense specified in division 4560
(B) (1) of this section, the law enforcement agency shall forward 4561
the contents of a sexual assault examination kit in the agency's 4562
possession to the bureau or another crime laboratory within 4563
thirty days for a DNA analysis of the contents of the kit. 4564

(c) A law enforcement agency shall be considered in the 4565
possession of a sexual assault examination kit that is not in 4566
the law enforcement agency's possession for purposes of 4567
divisions (B) (2) (a) and (b) of this section if the sexual 4568
assault examination kit contains biological evidence related to 4569
the law enforcement agency's investigation of an offense 4570
specified in division (B) (1) of this section and is in the 4571
possession of another government evidence-retention entity. The 4572
law enforcement agency shall be responsible for retrieving the 4573
sexual assault examination kit from the government evidence- 4574
retention entity and forwarding the contents of the kit to the 4575
bureau or another crime laboratory as required under divisions 4576
(B) (2) (a) and (b) of this section. 4577

(d) (i) The bureau or a laboratory under contract with the 4578
bureau pursuant to division (B) (5) of section 109.573 of the 4579
Revised Code shall perform a DNA analysis of the contents of any 4580

sexual assault examination kit forwarded to the bureau pursuant 4581
to division (B) (2) (a) or (b) of this section as soon as possible 4582
after the bureau receives the contents of the kit. The bureau 4583
shall enter the resulting DNA record into a DNA database. If the 4584
DNA analysis is performed by a laboratory under contract with 4585
the bureau, the laboratory shall forward the biological evidence 4586
to the bureau immediately after the laboratory performs the DNA 4587
analysis. A crime laboratory shall perform a DNA analysis of the 4588
contents of any sexual assault examination kit forwarded to the 4589
crime laboratory pursuant to division (B) (2) (a) or (b) of this 4590
section as soon as possible after the crime laboratory receives 4591
the contents of the kit and shall enter the resulting DNA record 4592
into a DNA database subject to the applicable DNA index system 4593
standards. 4594

(ii) Upon the completion of the DNA analysis by the bureau 4595
or a crime laboratory under contract with the bureau under this 4596
division, the bureau shall return the contents of the sexual 4597
assault examination kit to the law enforcement agency. The law 4598
enforcement agency shall secure the contents of the sexual 4599
assault examination kit in accordance with division (B) (1) of 4600
this section, as applicable. 4601

(e) The failure of any law enforcement agency to comply 4602
with any time limit specified in this section shall not create, 4603
and shall not be construed as creating, any basis or right to 4604
appeal, claim for or right to postconviction relief, or claim 4605
for or right to a new trial or any other claim or right to 4606
relief by any person. 4607

(3) This section applies to evidence likely to contain 4608
biological material that was in the possession of any 4609
governmental evidence-retention entity during the investigation 4610

and prosecution of a criminal case or delinquent child case 4611
involving a violation of section 2903.01, 2903.02, or 2903.03, a 4612
violation of section 2903.04 or 2903.06 that is a felony of the 4613
first or second degree, a violation of section 2907.02 or 4614
2907.03 or of division (A) (4) or (B) of section 2907.05 of the 4615
Revised Code, or an attempt to commit a violation of section 4616
2907.02 of the Revised Code. 4617

(4) A governmental evidence-retention entity that 4618
possesses biological evidence shall retain the biological 4619
evidence in the amount and manner sufficient to develop a DNA 4620
record from the biological material contained in or included on 4621
the evidence. 4622

(5) Upon written request by the defendant in a criminal 4623
case or the alleged delinquent child in a delinquent child case 4624
involving a violation of section 2903.01, 2903.02, or 2903.03, a 4625
violation of section 2903.04 or 2903.06 that is a felony of the 4626
first or second degree, a violation of section 2907.02 or 4627
2907.03 or of division (A) (4) or (B) of section 2907.05 of the 4628
Revised Code, or an attempt to commit a violation of section 4629
2907.02 of the Revised Code, a governmental evidence-retention 4630
entity that possesses biological evidence shall prepare an 4631
inventory of the biological evidence that has been preserved in 4632
connection with the defendant's criminal case or the alleged 4633
delinquent child's delinquent child case. 4634

(6) Except as otherwise provided in division (B) (8) of 4635
this section, a governmental evidence-retention entity that 4636
possesses biological evidence that includes biological material 4637
may destroy the evidence before the expiration of the applicable 4638
period of time specified in division (B) (1) of this section if 4639
all of the following apply: 4640

(a) No other provision of federal or state law requires 4641
the state to preserve the evidence. 4642

(b) The governmental evidence-retention entity, by 4643
certified mail, return receipt requested, provides notice of 4644
intent to destroy the evidence to all of the following: 4645

(i) All persons who remain in custody, incarcerated, in a 4646
department of youth services institution or other juvenile 4647
facility, under a community control sanction, under any order of 4648
disposition, on probation or parole, under judicial release or 4649
supervised release, under post-release control, involved in 4650
civil litigation, or subject to registration and other duties 4651
imposed for that offense or act under sections 2950.04, 4652
2950.041, 2950.05, and 2950.06 of the Revised Code as a result 4653
of a criminal conviction, delinquency adjudication, or 4654
commitment related to the evidence in question; 4655

(ii) The attorney of record for each person who is in 4656
custody in any circumstance described in division (B) (6) (b) (i) 4657
of this section if the attorney of record can be located; 4658

(iii) The state public defender; 4659

(iv) The office of the prosecutor of record in the case 4660
that resulted in the custody of the person in custody in any 4661
circumstance described in division (B) (6) (b) (i) of this section; 4662

(v) The attorney general. 4663

(c) No person who is notified under division (B) (6) (b) of 4664
this section does either of the following within one year after 4665
the date on which the person receives the notice: 4666

(i) Files a motion for testing of evidence under sections 4667
2953.71 to 2953.81 or section 2953.82 of the Revised Code; 4668

(ii) Submits a written request for retention of evidence 4669
to the governmental evidence-retention entity that provided 4670
notice of its intent to destroy evidence under division (B) (6) 4671
(b) of this section. 4672

(7) Except as otherwise provided in division (B) (8) of 4673
this section, if, after providing notice under division (B) (6) 4674
(b) of this section of its intent to destroy evidence, a 4675
governmental evidence-retention entity receives a written 4676
request for retention of the evidence from any person to whom 4677
the notice is provided, the governmental evidence-retention 4678
entity shall retain the evidence while the person referred to in 4679
division (B) (6) (b) (i) of this section remains in custody, 4680
incarcerated, in a department of youth services institution or 4681
other juvenile facility, under a community control sanction, 4682
under any order of disposition, on probation or parole, under 4683
judicial release or supervised release, under post-release 4684
control, involved in civil litigation, or subject to 4685
registration and other duties imposed for that offense or act 4686
under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the 4687
Revised Code as a result of a criminal conviction, delinquency 4688
adjudication, or commitment related to the evidence in question. 4689

(8) A governmental evidence-retention entity that 4690
possesses biological evidence that includes biological material 4691
may destroy the evidence five years after a person pleads guilty 4692
or no contest to a violation of section 2903.01, 2903.02, or 4693
2903.03, a violation of section 2903.04 or 2903.06 that is a 4694
felony of the first or second degree, a violation of section 4695
2907.02, 2907.03, division (A) (4) or (B) of section 2907.05, or 4696
an attempt to commit a violation of section 2907.02 of the 4697
Revised Code and all appeals have been exhausted unless, upon a 4698
motion to the court by the person who pleaded guilty or no 4699

contest or the person's attorney and notice to those persons 4700
described in division (B) (6) (b) of this section requesting that 4701
the evidence not be destroyed, the court finds good cause as to 4702
why that evidence must be retained. 4703

(9) A governmental evidence-retention entity shall not be 4704
required to preserve physical evidence pursuant to this section 4705
that is of such a size, bulk, or physical character as to render 4706
retention impracticable. When retention of physical evidence 4707
that otherwise would be required to be retained pursuant to this 4708
section is impracticable as described in this division, the 4709
governmental evidence-retention entity that otherwise would be 4710
required to retain the physical evidence shall remove and 4711
preserve portions of the material evidence likely to contain 4712
biological evidence related to the offense, in a quantity 4713
sufficient to permit future DNA testing before returning or 4714
disposing of that physical evidence. 4715

~~(C) (1) The preservation of biological evidence task force 4716
established within the bureau of criminal identification and 4717
investigation under section 109.561 of the Revised Code shall 4718
establish a system regarding the proper preservation of 4719
biological evidence in this state. In establishing the system, 4720
the task force shall do all of the following: 4721~~

~~(a) Devise standards regarding the proper collection, 4722
retention, and cataloging of biological evidence for ongoing 4723
investigations and prosecutions; 4724~~

~~(b) Recommend practices, protocols, models, and resources 4725
for the cataloging and accessibility of preserved biological 4726
evidence already in the possession of governmental evidence- 4727
retention entities. 4728~~

~~(2) In consultation with the preservation of biological-~~ 4729
~~evidence task force described in division (C) (1) of this-~~ 4730
~~section, the~~ The office of the attorney general shall administer 4731
and conduct training programs for law enforcement officers and 4732
other relevant employees who are charged with preserving and 4733
cataloging biological evidence regarding the methods and 4734
procedures referenced in this section. 4735

Sec. 3334.03. (A) (1) There is hereby created the Ohio 4736
tuition trust authority within the office of the chancellor of 4737
the Ohio board of regents, which shall have the powers 4738
enumerated in this chapter and which shall operate as a 4739
qualified state tuition program within the meaning of section 4740
529 of the Internal Revenue Code. The exercise by the authority 4741
of its powers shall be and is hereby declared an essential state 4742
governmental function. The authority is subject to all 4743
provisions of law generally applicable to state agencies which 4744
do not conflict with the provisions of this chapter. 4745

(2) Except for the duties and responsibilities under this 4746
chapter of the Ohio tuition trust authority investment board as 4747
specified in divisions (B) (2) and (3) of this section, the Ohio 4748
tuition trust authority shall perform all duties and 4749
responsibilities specified under this chapter. 4750

(B) (1) (a) There is hereby created the Ohio tuition trust 4751
authority investment board, which shall consist of eleven 4752
members, no more than six of whom shall be of the same political 4753
party. Six members shall be appointed by the governor, with the 4754
advice and consent of the senate ~~as follows: one shall represent-~~ 4755
~~state institutions of higher education, one shall represent-~~ 4756
~~private nonprofit colleges and universities located in Ohio, one-~~ 4757
~~shall have experience in the field of marketing or public-~~ 4758

~~relations, one shall have experience in the field of information-~~ 4759
~~systems design or management, and two shall have experience in-~~ 4760
~~the field of banking, investment banking, insurance, or law, who~~ 4761
have significant experience in finance, accounting, or 4762
investment management. Four members shall be appointed by the 4763
speaker of the house of representatives and the president of the 4764
senate as follows: the speaker of the house of representatives 4765
shall appoint one member of the house from each political party 4766
and the president of the senate shall appoint one member of the 4767
senate from each political party. The chancellor or the 4768
chancellor's designee shall be an ex officio voting member. 4769

Terms of office for gubernatorial appointees shall be 4770
staggered four-year terms. Legislative members shall serve two- 4771
year terms, provided that legislative members may continue to 4772
serve on the board only if they remain members of the general 4773
assembly. Any vacancy on the board shall be filled in the same 4774
manner as the original appointment, except that any person 4775
appointed to fill a vacancy shall be appointed to the remainder 4776
of the unexpired term. Any member is eligible for reappointment. 4777

(b) Any member may be removed by the appointing authority 4778
for misfeasance, malfeasance, or willful neglect of duty or for 4779
other cause after notice and a public hearing, unless the notice 4780
and hearing are waived in writing by the member. Members shall 4781
serve without compensation but shall receive their reasonable 4782
and necessary expenses incurred in the conduct of the board's 4783
business. 4784

(c) The speaker of the house of representatives and the 4785
president of the senate shall each designate a member of the 4786
board to serve as co-chairpersons. The six gubernatorial 4787
appointees and the chancellor or the chancellor's designee shall 4788

serve as the executive committee of the board, and shall elect 4789
an executive chairperson from among the executive committee 4790
members. The board and the executive committee may elect such 4791
other officers as determined by the board or the executive 4792
committee respectively. The authority shall meet at least 4793
annually at the call of either co-chairperson and at such other 4794
times as either co-chairperson or the board determines 4795
necessary. In the absence of both co-chairpersons, the executive 4796
chairperson shall serve as the presiding officer of the board. 4797
The executive committee shall meet at the call of the executive 4798
chairperson or as the executive committee determines necessary. 4799
The board may delegate to the executive committee such duties 4800
and responsibilities as the board determines appropriate, except 4801
that the board may not delegate to the executive committee the 4802
final designation of bonds as college savings bonds or providing 4803
of advice concerning and consent to the employment of an 4804
executive director of the Ohio tuition trust authority. Upon 4805
such delegation, the executive committee shall have the 4806
authority to act pursuant to such delegation without further 4807
approval or action by the board. A majority of the board shall 4808
constitute a quorum of the board, and the affirmative vote of a 4809
majority of the members present shall be necessary for any 4810
action taken by the board. A majority of the executive committee 4811
shall constitute a quorum of the executive committee, and the 4812
affirmative vote of a majority of the members present shall be 4813
necessary for any action taken by the executive committee. No 4814
vacancy in the membership of the board or the executive 4815
committee shall impair the rights of a quorum to exercise all 4816
rights and perform all duties of the board or the executive 4817
committee respectively. 4818

(2) The Ohio tuition trust authority investment board 4819

solely shall perform the duties and responsibilities specified 4820
in division (B) (3) of this section and in all of the following: 4821

(a) Section 3334.04 of the Revised Code, except for 4822
administration responsibilities that include, but are not 4823
limited to, marketing, promoting, and advertising; 4824

(b) Division (A) (11) of section 3334.08 of the Revised 4825
Code to provide advice and consent to the Ohio tuition trust 4826
authority on the hiring of the executive director, provided that 4827
the executive director shall not be hired unless a majority of 4828
the board votes in favor of the hiring; 4829

(c) Divisions (A) to (E), (G) (1), (K), (L), and (M) of 4830
section 3334.11 of the Revised Code, except that the board shall 4831
consult with the chancellor prior to any change in the order of 4832
expenditures under division (B) of that section, prior to 4833
entering into a contract under division (E) of that section, or 4834
prior to establishing an entity authorized under division (K) (2) 4835
of that section; 4836

(d) Section 3334.12 of the Revised Code; 4837

(e) Sections 3334.18 to 3334.21 of the Revised Code 4838
concerning investment and fiduciary duties that are required for 4839
the variable college savings program. In addition, prior to any 4840
change in the order of expenditures under division (F) of 4841
section 3334.19 of the Revised Code, the board shall consult 4842
with the chancellor. 4843

(3) Subject to the advice and consent of the chancellor, 4844
the Ohio tuition trust authority investment board may remove at 4845
any time the executive director of the Ohio tuition trust 4846
authority hired under division (A) (11) of section 3334.08 of the 4847
Revised Code. 4848

| | |
|---|------|
| Sec. 3334.08. (A) Subject to division (B) of this section, | 4849 |
| in addition to any other powers conferred by this chapter, the | 4850 |
| Ohio tuition trust authority may do any of the following: | 4851 |
| (1) Impose reasonable residency requirements for | 4852 |
| beneficiaries of tuition units; | 4853 |
| (2) Impose reasonable limits on the number of tuition unit | 4854 |
| participants; | 4855 |
| (3) Impose and collect administrative fees and charges in | 4856 |
| connection with any transaction under this chapter; | 4857 |
| (4) Purchase insurance from insurers licensed to do | 4858 |
| business in this state providing for coverage against any loss | 4859 |
| in connection with the authority's property, assets, or | 4860 |
| activities or to further ensure the value of tuition units; | 4861 |
| (5) Indemnify or purchase policies of insurance on behalf | 4862 |
| of members, officers, and employees of the authority from | 4863 |
| insurers licensed to do business in this state providing for | 4864 |
| coverage for any liability incurred in connection with any civil | 4865 |
| action, demand, or claim against a director, officer, or | 4866 |
| employee by reason of an act or omission by the director, | 4867 |
| officer, or employee that was not manifestly outside the scope | 4868 |
| of the employment or official duties of the director, officer, | 4869 |
| or employee or with malicious purpose, in bad faith, or in a | 4870 |
| wanton or reckless manner; | 4871 |
| (6) Make, execute, and deliver contracts, conveyances, and | 4872 |
| other instruments necessary to the exercise and discharge of the | 4873 |
| powers and duties of the authority; | 4874 |
| (7) Promote, advertise, and publicize the Ohio college | 4875 |
| savings program and the variable college savings program; | 4876 |

(8) Adopt rules under section 111.15 of the Revised Code 4877
for the implementation of the Ohio college savings program; 4878

(9) Contract, for the provision of all or part of the 4879
services necessary for the management and operation of the Ohio 4880
college savings program and the variable college savings 4881
program, with a bank, trust company, savings and loan 4882
association, insurance company, or licensed dealer in securities 4883
if the bank, company, association, or dealer is authorized to do 4884
business in this state and information about the contract is 4885
filed with the controlling board pursuant to division (D) (6) of 4886
section 127.16 of the Revised Code; provided, however, that any 4887
funds of the Ohio college savings program and the variable 4888
college savings program that are not needed for immediate use 4889
shall be deposited by the treasurer of state in the same manner 4890
provided under Chapter 135. of the Revised Code for public 4891
moneys of the state. All interest earned on those deposits shall 4892
be credited to the Ohio college savings program or the variable 4893
college savings program, as applicable. 4894

(10) Contract for other services, or for goods, needed by 4895
the authority in the conduct of its business, including but not 4896
limited to credit card services; 4897

(11) Employ an executive director and other personnel as 4898
necessary to carry out its responsibilities under this chapter, 4899
and fix the compensation of these persons. All employees of the 4900
authority shall be in the unclassified civil service and shall 4901
be eligible for membership in the public employees retirement 4902
system. In the hiring of the executive director, the Ohio 4903
tuition trust authority shall obtain the advice and consent of 4904
the Ohio tuition trust investment board created in section 4905
3334.03 of the Revised Code, provided that the executive 4906

director shall not be hired unless a majority of the board votes 4907
in favor of the hiring. In addition, the board may remove the 4908
executive director at any time subject to the advice and consent 4909
of the chancellor of higher education. 4910

(12) Contract with financial consultants, actuaries, 4911
auditors, and other consultants as necessary to carry out its 4912
responsibilities under this chapter; 4913

(13) Enter into agreements with any agency of the state or 4914
its political subdivisions or with private employers under which 4915
an employee may agree to have a designated amount deducted in 4916
each payroll period from the wages or salary due the employee 4917
for the purpose of purchasing tuition units pursuant to a 4918
tuition payment contract or making contributions pursuant to a 4919
variable college savings program contract; 4920

(14) Enter into an agreement with the treasurer of state 4921
under which the treasurer of state will receive, and credit to 4922
the Ohio tuition trust fund or variable college savings program 4923
fund, from any bank or savings and loan association authorized 4924
to do business in this state, amounts that a depositor of the 4925
bank or association authorizes the bank or association to 4926
withdraw periodically from the depositor's account for the 4927
purpose of purchasing tuition units pursuant to a tuition 4928
payment contract or making contributions pursuant to a variable 4929
college savings program contract; 4930

(15) Solicit and accept gifts, grants, and loans from any 4931
person or governmental agency and participate in any 4932
governmental program; 4933

(16) Impose limits on the number of units which may be 4934
purchased on behalf of or assigned or awarded to any beneficiary 4935

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| and on the total amount of contributions that may be made on | 4936 |
| behalf of a beneficiary; | 4937 |
| (17) Impose restrictions on the substitution of another | 4938 |
| individual for the original beneficiary under the Ohio college | 4939 |
| savings program; | 4940 |
| (18) Impose a limit on the age of a beneficiary, above | 4941 |
| which tuition units may not be purchased on behalf of that | 4942 |
| beneficiary; | 4943 |
| (19) Enter into a cooperative agreement with the treasurer | 4944 |
| of state to provide for the direct disbursement of payments | 4945 |
| under tuition payment or variable college savings program | 4946 |
| contracts; | 4947 |
| (20) Determine the other higher education expenses for | 4948 |
| which tuition units or contributions may be used; | 4949 |
| (21) Terminate any tuition payment or variable college | 4950 |
| savings program contract if no purchases or contributions are | 4951 |
| made for a period of three years or more and there are fewer | 4952 |
| than a total of five tuition units or less than a dollar amount | 4953 |
| set by rule on account, provided that notice of a possible | 4954 |
| termination shall be provided in advance, explaining any options | 4955 |
| to prevent termination, and a reasonable amount of time shall be | 4956 |
| provided within which to act to prevent a termination; | 4957 |
| (22) Maintain a separate account for each tuition payment | 4958 |
| or variable college savings program contract; | 4959 |
| (23) Perform all acts necessary and proper to carry out | 4960 |
| the duties and responsibilities of the authority pursuant to | 4961 |
| this chapter. | 4962 |
| (B) The authority shall adopt rules under section 111.15 | 4963 |

of the Revised Code for the implementation and administration of 4964
the variable college savings program. The rules shall provide 4965
taxpayers with the maximum tax advantages and flexibility 4966
consistent with section 529 of the Internal Revenue Code and 4967
regulations adopted thereunder with regard to disposition of 4968
contributions and earnings, designation of beneficiaries, and 4969
rollover of account assets to other programs. 4970

(C) Except as otherwise specified in this chapter, the 4971
provisions of Chapters 123. and 4117. of the Revised Code shall 4972
not apply to the authority and Chapter 125. of the Revised Code 4973
shall not apply to contracts approved under the powers of the 4974
Ohio tuition trust authority investment board under section 4975
3334.03 of the Revised Code. 4976

Sec. 3701.344. (A) As used in this section and sections 4977
3701.345, ~~3701.346~~, and 3701.347 of the Revised Code, "private 4978
water system" means any water system for the provision of water 4979
for human consumption, if the system has fewer than fifteen 4980
service connections and does not regularly serve an average of 4981
at least twenty-five individuals daily at least sixty days out 4982
of the year. "Private water system" includes any well, spring, 4983
cistern, pond, hauled water, or recycled water and any equipment 4984
for the collection, transportation, filtration, disinfection, 4985
treatment, or storage of such water extending from and including 4986
the source of the water to the point of discharge from any 4987
pressure tank or other storage vessel; to the point of discharge 4988
from the water pump where no pressure tank or other storage 4989
vessel is present; or, in the case of multiple service 4990
connections serving more than one dwelling, to the point of 4991
discharge from each service connection. "Private water system" 4992
does not include the water service line extending from the point 4993
of discharge to a structure. 4994

(B) Notwithstanding section 3701.347 of the Revised Code 4995
and subject to division (C) of this section, rules adopted by 4996
the director of health regarding private water systems shall 4997
provide for the following: 4998

(1) Except as otherwise provided in this division, boards 4999
of health of city or general health districts shall be given the 5000
exclusive power to establish fees in accordance with section 5001
3709.09 of the Revised Code for administering and enforcing the 5002
rules. The fees shall establish a different rate for 5003
administering and enforcing the rules relative to private water 5004
systems serving single-family dwelling houses and nonsingle- 5005
family dwelling houses. Except for an amount established by the 5006
director, pursuant to division (B)(5) of this section, for each 5007
new private water system installation, no portion of any fee for 5008
administering and enforcing the rules shall be returned to the 5009
department of health. If the director of health determines that 5010
a board of health of a city or general health district is unable 5011
to administer and enforce a private water system program in the 5012
district, the director shall administer and enforce such a 5013
program in the district and establish fees for such 5014
administration and enforcement. 5015

(2) Boards of health of city or general health districts 5016
shall be given the exclusive power to determine the number of 5017
inspections necessary for determining the safe drinking 5018
characteristics of a private water system. 5019

(3) Private water systems contractors, as a condition of 5020
doing business in this state, shall annually register with, and 5021
comply with surety bonding requirements of, the department of 5022
health. No such contractor shall be permitted to register if the 5023
contractor fails to comply with all applicable rules adopted by 5024

the director and the board of health of the city or general 5025
health district. The annual registration fee for private water 5026
systems contractors shall be sixty-five dollars. The director, 5027
by rule adopted in accordance with Chapter 119. of the Revised 5028
Code, may increase the annual registration fee. 5029

(4) Subject to rules adopted by the director, boards of 5030
health of city or general health districts shall have the option 5031
of determining whether bacteriological examinations shall be 5032
performed at approved laboratories of the state or at approved 5033
private laboratories. 5034

(5) The director may establish fees for each new private 5035
water system installation, which shall be collected by the 5036
appropriate board of health and transmitted to the director 5037
pursuant to section 3709.092 of the Revised Code. 5038

(6) All fees received by the director of health under 5039
divisions (B) (1), (3), and (5) of this section shall be 5040
deposited in the state treasury to the credit of the general 5041
operations fund created in section 3701.83 of the Revised Code 5042
for use in the administration and enforcement of sections 5043
3701.344 to 3701.347 of the Revised Code and the rules 5044
pertaining to private water systems adopted under those 5045
sections. 5046

(7) The director shall define "well," "spring," "cistern," 5047
"pond," "hauled water," and "recycled water" for purposes of 5048
this section and the rules adopted under it. 5049

(C) To the extent that rules adopted under division (B) of 5050
this section require health districts to follow specific 5051
procedures or use prescribed forms, no such procedure or form 5052
shall be implemented until it is approved by majority vote of an 5053

approval board of health commissioners, hereby created. Members 5054
of the board shall be the officers of the association of Ohio 5055
health commissioners, or any successor organization, and 5056
membership on the board shall be coterminous with holding an 5057
office of the association. No health district is required to 5058
follow a procedure or use a form required by a rule adopted 5059
under division (B) of this section without the approval of the 5060
board. 5061

(D) A board of health shall collect well log filing fees 5062
on behalf of the division of water resources in the department 5063
of natural resources in accordance with section 1521.05 of the 5064
Revised Code and rules adopted under it. The fees shall be 5065
submitted to the division quarterly as provided in those rules. 5066

(E) A water system that will be used in agriculture and 5067
that does not provide water for human consumption shall not be 5068
required to obtain a permit or license issued under, pay any 5069
fees assessed or levied under, or comply with any rule adopted 5070
under sections 3701.34 to 3701.347 of the Revised Code. 5071

Sec. 3701.77. (A) The department of health may establish, 5072
promote, and maintain a lupus education and awareness program 5073
with an emphasis on at-risk communities to raise public 5074
awareness, educate consumers, and educate and train health 5075
professionals, human services providers, and other audiences. 5076

(B) The department, in creating and implementing the 5077
program, may do all of the following: 5078

(1) Provide sufficient staff and appropriate training to 5079
implement the program; 5080

(2) Establish a grant program to support nonprofit 5081
voluntary health organizations with expertise in lupus to 5082

increase public awareness and enhance health professional 5083
education and understanding of the symptoms and consequences of 5084
lupus and the populations most at risk; 5085

~~(3) Establish an intergovernmental council and advisory~~ 5086
~~panel to oversee the implementation of the program;~~ 5087

~~(4)~~ Identify the appropriate entities to carry out the 5088
program; 5089

~~(5)~~ (4) Base the program on the most current scientific 5090
information and findings; 5091

~~(6)~~ (5) Work with government entities, community and 5092
business leaders, community organizations, health and human 5093
services providers, and national, state, and local lupus 5094
organizations, such as the lupus foundation of America, inc., to 5095
coordinate efforts to maximize state resources in the areas of 5096
lupus education and awareness; 5097

~~(7)~~ (6) Identify and use other successful lupus education 5098
and awareness programs and procure related materials and 5099
services from organizations with appropriate expertise and 5100
knowledge of lupus. 5101

(C) The department may accept gifts, grants, and donations 5102
from the federal government, foundations, organizations, medical 5103
schools, and other entities for fulfilling the obligations of 5104
the program. 5105

(D) The department may seek any federal waiver that may be 5106
necessary to maximize funds from the federal government to 5107
implement the program. 5108

Sec. 3702.71. As used in sections 3702.71 to ~~3702.81~~ 5109
3702.79 of the Revised Code: 5110

(A) "Full-time practice" means working a minimum of forty 5111
hours per week for a minimum of forty-five weeks each service 5112
year. 5113

(B) "Part-time practice" means working a minimum of twenty 5114
and a maximum of thirty-nine hours per week for a minimum of 5115
forty-five weeks per service year. 5116

(C) "Primary care physician" means an individual who is 5117
authorized under Chapter 4731. of the Revised Code to practice 5118
medicine and surgery or osteopathic medicine and surgery and is 5119
board certified or board eligible in a primary care specialty. 5120

(D) "Primary care service" means professional 5121
comprehensive personal health services, which may include health 5122
education and disease prevention, treatment of uncomplicated 5123
health problems, diagnosis of chronic health problems, overall 5124
management of health care services for an individual or a 5125
family, and the services of a psychiatrist. "Primary care 5126
service" also includes providing the initial contact for health 5127
care services, making referrals for secondary and tertiary care 5128
and for continuity of health care services, and teaching 5129
activities to the extent specified in a contract entered into 5130
pursuant to section 3702.74 of the Revised Code. 5131

(E) "Primary care specialty" means general internal 5132
medicine, pediatrics, adolescent medicine, obstetrics and 5133
gynecology, psychiatry, child and adolescent psychiatry, 5134
geriatric psychiatry, combined internal medicine and pediatrics, 5135
geriatrics, or family practice. 5136

(F) "Teaching activities" means providing clinical 5137
education to students and residents regarding the primary care 5138
physician's normal course of practice and expertise at the 5139

service site specified in the contract described in section 5140
3702.74 of the Revised Code. 5141

Sec. 3702.79. The director of health, in accordance with 5142
Chapter 119. of the Revised Code, shall adopt rules as necessary 5143
to implement and administer sections 3702.71 to 3702.78 of the 5144
Revised Code. ~~In preparing rules, the director shall consult~~ 5145
~~with the physician loan repayment advisory board.~~ 5146

Sec. 3705.35. Not later than one hundred eighty days after 5147
~~the effective date of this section~~ October 5, 2000, the director 5148
of health shall, ~~in consultation with the council created under~~ 5149
~~section 3705.34 of the Revised Code~~, adopt rules in accordance 5150
with Chapter 119. of the Revised Code to do all of the 5151
following: 5152

(A) Implement the birth defects information system; 5153

(B) Specify the types of congenital anomalies and abnormal 5154
conditions of newborns to be reported to the system under 5155
section 3705.30 of the Revised Code; 5156

(C) Establish reporting requirements for information 5157
concerning diagnosed congenital anomalies and abnormal 5158
conditions of newborns; 5159

(D) Establish standards that must be met by persons or 5160
government entities that seek access to the system; 5161

(E) Establish a form for use by parents or legal guardians 5162
who seek to have information regarding their children removed 5163
from the system and a method of distributing the form to local 5164
health departments, as defined in section 3705.33 of the Revised 5165
Code, and to physicians. The method of distribution must include 5166
making the form available on the internet. 5167

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: 5181

~~(1) "Chiropractor" means an individual licensed under Chapter 4734. of the Revised Code.~~ 5182
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~~(2) "License," "licensee," and "licensing agency" have the same meanings as in section 4745.01 of the Revised Code.~~ 5184
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~~(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.~~ 5186
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~~(4) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.~~ 5190
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~~(5) "Youth sports organization" has the same meaning as in section 3707.51 of the Revised Code.~~ 5193
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~~(B) (1) The director of health shall establish a committee regarding concussions and head injuries sustained by athletes~~ 5195
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~~while participating in interscholastic athletic events and~~ 5197
~~athletic activities organized by youth sports organizations and~~ 5198
~~the provisions of sections 3313.539 and 3707.511 of the Revised~~ 5199
~~Code. The department of health shall provide administrative~~ 5200
~~support to the committee.~~ 5201

~~(2) The director shall serve as a member of the committee~~ 5202
~~and shall appoint all of the following as the remaining members,~~ 5203
~~each of whom must have substantial experience in the diagnosis~~ 5204
~~and treatment of concussions and head injuries:~~ 5205

~~(a) A representative of the state medical board;~~ 5206

~~(b) A physician who practices as a neurologist;~~ 5207

~~(c) A physician who practices sports medicine;~~ 5208

~~(d) A representative of the state chiropractic board;~~ 5209

~~(e) A chiropractor who has a background in neurology;~~ 5210

~~(f) A chiropractor who practices sports medicine.~~ 5211

~~(C) Not later than one hundred eighty days after the~~ 5212
~~effective date of this section, the committee shall develop and~~ 5213
~~publish guidelines addressing all of the following with regard~~ 5214
~~to athletes exhibiting signs, symptoms, or behaviors consistent~~ 5215
~~with having sustained a concussion or head injury while~~ 5216
~~participating in an interscholastic athletic event or an~~ 5217
~~athletic activity organized by a youth sports organization:~~ 5218

~~(1) The diagnosis and treatment of concussions and head~~ 5219
~~injuries;~~ 5220

~~(2) The conditions under which an athlete may be granted~~ 5221
~~clearance to return to practice or competition under section~~ 5222
~~3313.539 or 3707.511 of the Revised Code;~~ 5223

~~(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.~~ 5224
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~~(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:~~ 5229
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~~(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;~~ 5237
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~~(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;~~ 5241
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~~(3) A physician certified by the American board of
neurological surgery or American osteopathic board of surgery
who actively practices neurosurgery;~~ 5246
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~~(4) A physician who actively practices in the field of
sports medicine;~~ 5249
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~~(5) An athletic trainer licensed under Chapter 4755. of
the Revised Code;~~ 5251
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|---|------|
| (6) A physical therapist licensed under Chapter 4755. of the Revised Code; | 5253 |
| | 5254 |
| (7) A chiropractor; | 5255 |
| (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; | 5256 |
| | 5257 |
| | 5258 |
| (9) A representative of a youth sports organization; | 5259 |
| (10) A representative of a school district board of education or governing authority of a chartered or nonchartered nonpublic school; | 5260 |
| | 5261 |
| | 5262 |
| (11) Any other individual selected by the committee who has interests that the committee considers relevant to its duties. | 5263 |
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| | 5265 |
| (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 <u>established by the director of health under division (C) a previous version of this section, and which met during 2014 and 2015.</u> | 5266 |
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| 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. | 5275 |
| | 5276 |
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| Any rules adopted under this division shall be adopted in accordance with Chapter 119. of the Revised Code. | 5279 |
| | 5280 |

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| Sec. 3711.20. (A) As used in this section: | 5281 |
| (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. | 5282 5283 5284 5285 |
| (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 <u>Registered nurse</u> has the meaning defined in section 4723.01 of the Revised Code. | 5286 5287 5288 5289 5290 5291 |
| (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: | 5292 5293 5294 5295 |
| (1) Two board-certified obstetricians; | 5296 |
| (2) A board-certified pediatrician; | 5297 |
| (3) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level I obstetric care service; | 5298 5299 5300 |
| (4) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level I newborn care service; | 5301 5302 5303 |
| (5) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level II obstetric care service; | 5304 5305 5306 |
| (6) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level II | 5307 5308 |

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| newborn care service; | 5309 |
| (7) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level III obstetric care service; | 5310 |
| | 5311 |
| | 5312 |
| (8) A nurse manager or administrator responsible for the organization and supervision of nursing services in a level III newborn care service. <u>Three registered nurses who provide newborn care;</u> | 5313 |
| | 5314 |
| | 5315 |
| | 5316 |
| <u>(4) Three registered nurses who provide obstetric care;</u> | 5317 |
| (9) (5) A licensed dietitian with knowledge of newborn nutrition; | 5318 |
| | 5319 |
| (10) (6) A licensed social worker with knowledge of newborn psychosocial and family support services; | 5320 |
| | 5321 |
| (11) (7) A lactation consultant certified by the international board of lactation consultant examiners; | 5322 |
| | 5323 |
| (12) (8) An individual to represent the public; | 5324 |
| (13) (9) A board-certified perinatologist; | 5325 |
| (14) (10) A board-certified neonatologist; | 5326 |
| (15) (11) A certified nurse-midwife, certified nurse practitioner, clinical nurse specialist, or certified registered nurse anesthetist; | 5327 |
| | 5328 |
| | 5329 |
| (16) (12) A board-certified anesthesiologist; | 5330 |
| (17) (13) A board-certified family practice physician who delivers children or provides newborn care. | 5331 |
| | 5332 |
| (C) The governor shall make the initial appointments to the council not later than sixty days after the effective date | 5333 |
| | 5334 |

~~of this section~~ September 1, 2008. Of the initial appointments, 5335
six shall be for a term of three years, six for a term of four 5336
years, and six for a term of five years. Thereafter, terms of 5337
office shall be five years with each term ending on the same day 5338
of the same month as the term it succeeds. Each member shall 5339
hold office from the date of the member's appointment until the 5340
end of the term for which the member was appointed. Members may 5341
be reappointed. Vacancies shall be filled in the manner provided 5342
for original appointment. Any member appointed to fill a vacancy 5343
prior to the expiration of the term for which the member's 5344
predecessor was appointed shall hold office for the remainder of 5345
that term. A member shall continue in office subsequent to the 5346
expiration of the member's term or until a period of sixty days 5347
has elapsed, whichever occurs first. 5348

(D) The council shall hold four meetings in the first year 5349
after the initial appointments to the council are made under 5350
division (B) of this section. Thereafter, the council shall hold 5351
two meetings each year. Additional meetings may be held at the 5352
call of the chairperson or the director of health. 5353

The chairperson shall be selected annually by members of 5354
the council. Following each meeting, the chairperson may submit 5355
a report to the director summarizing the activities, discussion, 5356
and recommendations of the council. Eight voting members of the 5357
council constitute a quorum. 5358

(E) Members of the council shall be reimbursed for actual 5359
and necessary expenses incurred in the performance of their 5360
official duties. 5361

(F) The department of health shall provide the council the 5362
administrative support necessary to execute its duties. 5363

Sec. 3727.39. (A) The duties of the director of health 5364
under this section are subject to section 3727.391 of the 5365
Revised Code. 5366

(B) Not later than ninety days after a hospital submits 5367
information to the director of health under section 3727.33 or 5368
3727.34 of the Revised Code, the director shall make the 5369
submitted information available on an internet web site. In 5370
making the information available on a web site, the director 5371
shall do all of the following: 5372

(1) Make the web site available to the public without 5373
charge; 5374

(2) Provide for the web site to be organized in a manner 5375
that enables the public to use it easily; 5376

(3) Exclude from the web site any information that 5377
compromises patient privacy; 5378

(4) Include links to hospital internet web sites to enable 5379
the public to obtain additional information about hospitals, 5380
including hospital programs designed to enhance quality and 5381
safety; 5382

(5) Allow other internet web sites to link to the web site 5383
for purposes of increasing the web site's availability and 5384
encouraging ongoing improvement; 5385

(6) Update the web site as needed to include new 5386
information and to correct errors. 5387

(C) The information submitted under section 3727.33 of the 5388
Revised Code shall be presented on the web site in a manner that 5389
enables the public to compare the performance of hospitals in 5390
meeting the measures for hospital inpatient and outpatient 5391

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; | 5421 5422 |
| (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. | 5423 5424 5425 |
| 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. | 5426 5427 5428 5429 5430 |
| (2) Rules adopted by the director under division (A) (1) of this section shall not require either of the following: | 5431 5432 |
| (a) A hospital to submit information regarding a performance, quality, or service measure for which the hospital does not provide the service; | 5433 5434 5435 |
| (b) A children's hospital to report a performance, quality, or service measure for patients eighteen years of age or older. | 5436 5437 5438 |
| (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: | 5439 5440 5441 5442 5443 5444 5445 |
| (a) Hospital quality measures publicly reported by the centers for medicare and medicaid services; | 5446 5447 |
| (b) Hospital quality measures publicly reported by the | 5448 |

joint commission; 5449

(c) Measures that examine volume of cases, adjusted length 5450
of stay, complications, infections, or mortality rates and are 5451
developed by the agency for health care research and quality; 5452

(d) Measures included in the national voluntary consensus 5453
standards for hospital care endorsed by the national quality 5454
forum. 5455

(2) In adopting rules specifying the measures to be used 5456
by hospitals in submitting the information, the director shall 5457
consider both of the following: 5458

(a) Whether hospitals have a sufficient caseload to make a 5459
particular measure a reliable indicator of their ability to 5460
treat a diagnosis or perform a procedure in a quality manner; 5461

(b) Whether there are any excessive administrative or 5462
financial implications associated with the reporting of 5463
information by hospitals regarding their performance in meeting 5464
a particular measure. 5465

Sec. 3745.015. There is hereby created in the state 5466
treasury the environmental protection fund consisting of money 5467
credited to the fund under division (A) (3) of section 3734.57 of 5468
the Revised Code. The environmental protection agency shall use 5469
money in the fund to pay the agency's costs associated with 5470
administering and enforcing, or otherwise conducting activities 5471
under, this chapter and Chapters 3704., 3734., 3746., 3747., 5472
3748., 3750., 3751., 3752., 3753., 5709., 6101., 6103., 6105., 5473
6109., 6111., 6112., 6113., 6115., 6117., and 6119. and ~~sections~~ 5474
section 122.65 and 1521.19 of the Revised Code, including 5475
providing compliance assistance to small businesses. 5476

Sec. 3772.02. (A) There is hereby created the Ohio casino 5477

control commission described in Section 6(C) ~~(1)~~ (4) of Article 5478
XV, Ohio Constitution. 5479

(B) The commission shall consist of seven members 5480
appointed within one month of September 10, 2010, by the 5481
governor with the advice and consent of the senate. The governor 5482
shall forward all appointments to the senate within twenty-four 5483
hours. 5484

(1) Each commission member is eligible for reappointment 5485
at the discretion of the governor. No commission member shall be 5486
appointed for more than three terms in total. 5487

(2) Each commission member shall be a resident of Ohio. 5488

(3) At least one commission member shall be experienced in 5489
law enforcement and criminal investigation. 5490

(4) At least one commission member shall be a certified 5491
public accountant experienced in accounting and auditing. 5492

(5) At least one commission member shall be an attorney 5493
admitted to the practice of law in Ohio. 5494

(6) At least one commission member shall be a resident of 5495
a county where one of the casino facilities is located. 5496

(7) Not more than four commission members shall be of the 5497
same political party. 5498

(8) No commission member shall have any affiliation with 5499
an Ohio casino operator or facility. 5500

(C) Commission members shall serve four-year terms, except 5501
that when the governor makes initial appointments to the 5502
commission under this chapter, the governor shall appoint three 5503
members to serve four-year terms with not more than two such 5504

members from the same political party, two members to serve 5505
three-year terms with such members not being from the same 5506
political party, and two members to serve two-year terms with 5507
such members not being from the same political party. 5508

(D) Each commission member shall hold office from the date 5509
of appointment until the end of the term for which the member 5510
was appointed. Any member appointed to fill a vacancy occurring 5511
before the expiration of the term for which the member's 5512
predecessor was appointed shall hold office for the remainder of 5513
the unexpired term. Any member shall continue in office after 5514
the expiration date of the member's term until the member's 5515
successor takes office, or until a period of sixty days has 5516
elapsed, whichever occurs first. A vacancy in the commission 5517
membership shall be filled in the same manner as the original 5518
appointment. 5519

(E) The governor shall select one member to serve as 5520
chairperson and the commission members shall select one member 5521
from a different party than the chairperson to serve as vice- 5522
chairperson. The governor may remove and replace the chairperson 5523
at any time. No such member shall serve as chairperson for more 5524
than six successive years. The vice-chairperson shall assume the 5525
duties of the chairperson in the absence of the chairperson. The 5526
chairperson and vice-chairperson shall perform but shall not be 5527
limited to additional duties as are prescribed by commission 5528
rule. 5529

(F) A commission member is not required to devote the 5530
member's full time to membership on the commission. Beginning on 5531
~~the effective date of this amendment~~ September 29, 2015, each 5532
member of the commission shall receive compensation of fifty 5533
thousand dollars per year. Beginning July 1, 2016, each member 5534

of the commission shall receive compensation of forty thousand 5535
dollars per year. Beginning July 1, 2017, each member of the 5536
commission shall receive compensation of thirty thousand dollars 5537
per year. Each member shall receive the member's actual and 5538
necessary expenses incurred in the discharge of the member's 5539
official duties. 5540

(G) The governor shall not appoint an individual to the 5541
commission, and an individual shall not serve on the commission, 5542
if the individual has been convicted of or pleaded guilty or no 5543
contest to a disqualifying offense as defined in section 3772.07 5544
of the Revised Code. Members coming under indictment or bill of 5545
information of a disqualifying offense shall resign from the 5546
commission immediately upon indictment. 5547

(H) At least five commission members shall be present for 5548
the commission to meet. The concurrence of four members is 5549
necessary for the commission to take any action. All members 5550
shall vote on the adoption of rules, and the approval of, and 5551
the suspension or revocation of, the licenses of casino 5552
operators or management companies, unless a member has a written 5553
leave of absence filed with and approved by the chairperson. 5554

(I) A commission member may be removed or suspended from 5555
office in accordance with section 3.04 of the Revised Code. 5556

(J) Each commission member, before entering upon the 5557
discharge of the member's official duties, shall make an oath to 5558
uphold the Ohio Constitution and laws of the state of Ohio and 5559
shall give a bond, payable by the commission, to the treasurer 5560
of state, in the sum of ten thousand dollars with sufficient 5561
sureties to be approved by the treasurer of state, which bond 5562
shall be filed with the secretary of state. 5563

(K) The commission shall hold one regular meeting each 5564
month and shall convene other meetings at the request of the 5565
chairperson or a majority of the members. A member who fails to 5566
attend at least three-fifths of the regular and special meetings 5567
of the commission during any two-year period forfeits membership 5568
on the commission. All meetings of the commission shall be open 5569
meetings under section 121.22 of the Revised Code except as 5570
otherwise allowed by law. 5571

(L) Pursuant to divisions (A) (3) and (9) of section 101.82 5572
of the Revised Code, the commission is exempt from the 5573
requirements of sections 101.82 to 101.87 of the Revised Code. 5574

Sec. 3905.04. (A) Except as otherwise provided in this 5575
section or in section 3905.041 of the Revised Code, a resident 5576
individual applying for an insurance agent license for any of 5577
the lines of authority described in division (B) of this section 5578
shall take and pass a written examination prior to application 5579
for licensure. The examination shall test the knowledge of the 5580
individual with respect to the lines of authority for which 5581
application will be made, the duties and responsibilities of an 5582
insurance agent, and the insurance laws of this state. Before 5583
admission to the examination, each individual shall pay the 5584
nonrefundable examination fee. 5585

(B) The examination described in division (A) of this 5586
section shall be required for the following lines of authority: 5587

(1) Any of the lines of authority set forth in divisions 5588
(B) (1) to (5) of section 3905.06 of the Revised Code; 5589

(2) Title insurance; 5590

(3) Surety bail bonds as provided in sections 3905.83 to 5591
3905.95 of the Revised Code; 5592

(4) Any other line of authority designated by the superintendent of insurance. 5593
5594

(C) An individual shall not be permitted to take the examination described in division (A) of this section unless one of the following applies: 5595
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(1) The individual has earned a bachelor's or associate's degree in insurance from an accredited institution. 5598
5599

(2) The individual has earned a professional designation approved by the superintendent. 5600
5601

(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. 5602
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(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. 5610
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(E) (1) The superintendent may, in accordance with Chapter 119. of the Revised Code, adopt any rule necessary for the implementation of this section. 5615
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5617

(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. 5618
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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 5650
by the superintendent ~~in consultation with the council;~~ 5651

(5) Any institution as defined in section 1713.01 of the 5652
Revised Code that holds a certificate of authorization issued by 5653
the Ohio board of regents under Chapter 1713. of the Revised 5654
Code or is exempt under that chapter from the requirements for a 5655
certificate of authorization. 5656

Sec. 3905.485. (A) The superintendent of insurance, ~~in~~ 5657
~~consultation with the insurance agent education advisory~~ 5658
~~council,~~ shall establish a schedule of fees to be paid to the 5659
superintendent by the sponsor of a course or program of study 5660
approved in accordance with division (B) of section 3905.484 of 5661
the Revised Code. The sponsor shall pay the required fee to the 5662
superintendent in accordance with rules adopted by the 5663
superintendent. 5664

(B) All fees collected by the superintendent under 5665
division (A) of this section shall be credited to the department 5666
of insurance operating fund created in section 3901.021 of the 5667
Revised Code. 5668

Sec. 3905.486. The superintendent of insurance shall adopt 5669
rules in accordance with Chapter 119. of the Revised Code to 5670
carry out the purposes of sections 3905.04 and 3905.481 to 5671
3905.486 of the Revised Code. ~~In adopting any rules, the~~ 5672
~~superintendent shall consider any recommendations made by the~~ 5673
~~insurance agent education advisory council.~~ 5674

Sec. 3905.88. (A) Each individual who is issued a license 5675
as a resident surety bail bond agent shall complete at least 5676
seven hours of continuing education in each license renewal 5677
period. The continuing education shall be offered in a course or 5678

program of study related to the bail bond business that is 5679
approved by the superintendent of insurance ~~in consultation with~~ 5680
~~the insurance agent education advisory council~~ and shall include 5681
at least one hour of approved ethics training. 5682

(B) The superintendent shall not renew the license of any 5683
surety bail bond agent who fails to meet the requirements of 5684
division (A) of this section or whose application for renewal 5685
does not meet the requirements of section 3905.85 of the Revised 5686
Code. 5687

Sec. 3929.51. (A) The Ohio mine subsidence insurance 5688
underwriting association is hereby created, consisting of all 5689
insurers authorized to write and engaged in writing within the 5690
state, on a direct basis, basic property insurance or any 5691
component thereof in multi-peril policies, to operate in 5692
accordance with the plan of operation adopted pursuant to 5693
section 3929.53 of the Revised Code. Every such insurer shall be 5694
a member of the association and shall remain a member as a 5695
condition of its authority to write such insurance in this 5696
state. 5697

(B) The association, pursuant to sections 3929.50 to 5698
3929.61 of the Revised Code, and any plan of operation 5699
thereunder with respect to mine subsidence insurance, may assume 5700
and cede reinsurance on insurable risks written by its members. 5701

(C) For the purpose of governing the mine subsidence 5702
insurance underwriting association, there is hereby created a 5703
mine subsidence insurance governing board consisting of the 5704
director of natural resources or the director's designee, as 5705
chairperson, the treasurer of state or the treasurer of state's 5706
designee, ~~the superintendent of insurance or the~~ 5707
~~superintendent's designee,~~ and one representative from member 5708

companies. The representative from member companies shall be an 5709
Ohio domiciled member, elected every three years by members of 5710
the association. All actions of the mine subsidence insurance 5711
underwriting association shall be approved by the governing 5712
board. The board may employ, compensate, and prescribe the 5713
duties and powers of such employees and consultants as are 5714
necessary to carry out sections 3929.50 to 3929.61 of the 5715
Revised Code, and is authorized to enter into a contract with 5716
the Ohio fair plan underwriting association for administrative 5717
and claims adjusting services. 5718

Sec. 4121.61. (A) As used in sections 4121.61 to ~~4121.70~~ 5719
4121.69 of the Revised Code, "self-insuring employer" has the 5720
same meaning as in section 4123.01 of the Revised Code. 5721

(B) The administrator of workers' compensation, with the 5722
advice and consent of the bureau of workers' compensation board 5723
of directors, shall adopt rules, take measures, and make 5724
expenditures as it deems necessary to aid claimants who have 5725
sustained compensable injuries or incurred compensable 5726
occupational diseases pursuant to Chapter 4123., 4127., or 4131. 5727
of the Revised Code to return to work or to assist in lessening 5728
or removing any resulting handicap. 5729

Sec. 4503.515. (A) The owner or lessee of any passenger 5730
car, noncommercial motor vehicle, recreational vehicle, or other 5731
vehicle of a class approved by the registrar of motor vehicles 5732
may apply to the registrar for the registration of the vehicle 5733
and issuance of "Ohio geology" license plates. The application 5734
may be combined with a request for a special reserved license 5735
plate under section 4503.40 or 4503.42 of the Revised Code. Upon 5736
receipt of the completed application and compliance by the 5737
applicant with divisions (B) and (C) of this section, the 5738

registrar shall issue to the applicant the appropriate vehicle 5739
registration and a set of "Ohio geology" license plates and a 5740
validation sticker, or a validation sticker alone when required 5741
by section 4503.191 of the Revised Code. 5742

In addition to the letters and numbers ordinarily 5743
inscribed on the license plates, "Ohio geology" license plates 5744
shall bear an appropriate logo and words selected by the ~~Ohio-~~ 5745
~~geology advisory council~~ director of natural resources and 5746
approved by the registrar. "Ohio geology" license plates shall 5747
display county identification stickers that identify the county 5748
of registration as required under section 4503.19 of the Revised 5749
Code. 5750

(B) "Ohio geology" license plates and a validation 5751
sticker, or validation sticker alone, shall be issued upon 5752
receipt of an application for registration of a motor vehicle 5753
under this section; payment of the regular license tax as 5754
prescribed under section 4503.04 of the Revised Code, any 5755
applicable motor vehicle license tax levied under Chapter 4504. 5756
of the Revised Code, any applicable additional fee prescribed by 5757
section 4503.40 or 4503.42 of the Revised Code, an additional 5758
fee of ten dollars, and a contribution as provided in division 5759
(C) of this section; and compliance with all other applicable 5760
laws relating to the registration of motor vehicles. 5761

(C) For each application for registration and registration 5762
renewal notice the registrar receives under this section, the 5763
registrar shall collect a contribution of fifteen dollars. The 5764
registrar shall transmit this contribution to the treasurer of 5765
state for deposit into the state treasury to the credit of the 5766
"Ohio geology" license plate fund created by section 1505.13 of 5767
the Revised Code. 5768

The registrar shall transmit the additional fee of ten 5769
dollars, the purpose of which is to compensate the bureau of 5770
motor vehicles for the additional services required in the 5771
issuing of "Ohio geology" license plates, to the treasurer of 5772
state for deposit into the state treasury to the credit of the 5773
state bureau of motor vehicles fund created by section 4501.25 5774
of the Revised Code. 5775

Sec. 4740.14. (A) There is hereby created within the 5776
department of commerce the residential construction advisory 5777
committee consisting of nine persons the director of commerce 5778
appoints. The advisory committee shall be made up of the 5779
following members: 5780

(1) Three shall be general contractors who have recognized 5781
ability and experience in the construction of residential 5782
buildings. 5783

(2) Two shall be building officials who have experience 5784
administering and enforcing a residential building code. 5785

(3) One, chosen from a list of three names the Ohio fire 5786
chief's association submits, shall be from the fire service 5787
certified as a fire safety inspector who has at least ten years 5788
of experience enforcing fire or building codes. 5789

(4) One shall be a residential contractor who has 5790
recognized ability and experience in the remodeling and 5791
construction of residential buildings. 5792

(5) One shall be an architect registered pursuant to 5793
Chapter 4703. of the Revised Code, with recognized ability and 5794
experience in the architecture of residential buildings. 5795

(6) One, chosen from a list of three names the Ohio 5796
municipal league submits to the director, shall be a mayor of a 5797

municipal corporation in which the Ohio residential building 5798
code is being enforced in the municipal corporation by a 5799
certified building department. 5800

(B) Terms of office shall be for three years, with each 5801
term ending on the date three years after the date of 5802
appointment. Each member shall hold office from the date of 5803
appointment until the end of the term for which the member was 5804
appointed. Vacancies shall be filled in the manner provided for 5805
initial appointments. Any member appointed to fill a vacancy in 5806
an unexpired term shall hold office for the remainder of that 5807
term. 5808

(C) The advisory committee shall do all of the following: 5809

(1) Recommend to the board of building standards a 5810
building code for residential buildings. The committee shall 5811
recommend a code that it may model on a residential building 5812
code a national model code organization issues, with adaptations 5813
necessary to implement the code in this state. If the board of 5814
building standards decides not to adopt a code the committee 5815
recommends, the committee shall revise the code and resubmit it 5816
until the board adopts a code the committee recommends as the 5817
state residential building code; 5818

(2) Advise the board regarding the establishment of 5819
standards for certification of building officials who enforce 5820
the state residential building code; 5821

(3) Assist the board in providing information and guidance 5822
to residential contractors and building officials who enforce 5823
the state residential building code; 5824

(4) Advise the board regarding the interpretation of the 5825
state residential building code; 5826

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| (5) Provide other assistance the committee considers necessary; | 5827 5828 |
| (6) Provide the board with a written report of the committee's findings for each consideration required by division (D) of this section. | 5829 5830 5831 |
| (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: | 5832 5833 5834 5835 |
| (1) The impact that the state residential building code may have upon the health, safety, and welfare of the public; | 5836 5837 |
| (2) The economic reasonableness of the residential building code; | 5838 5839 |
| (3) The technical feasibility of the residential building code; | 5840 5841 |
| (4) The financial impact that the residential building code may have on the public's ability to purchase affordable housing. | 5842 5843 5844 |
| (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. | 5845 5846 5847 5848 5849 5850 |
| (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 | 5851 5852 5853 5854 |

and shall receive a per diem for each day in attendance at an 5855
official meeting of the committee, to be paid from the 5856
industrial compliance operating fund in the state treasury, 5857
using fees collected in connection with residential buildings 5858
pursuant to division (F) (2) of section 3781.102 of the Revised 5859
Code and deposited in that fund. 5860

(G) The advisory committee is not subject to ~~divisions (A)~~ 5861
~~and (B) of section 101.84~~ sections 101.82 to 101.87 of the 5862
Revised Code. 5863

(H) Serving as a member of the residential construction 5864
advisory committee does not constitute holding a public office 5865
or position of employment under the laws of this state and 5866
service on the committee does not constitute grounds for 5867
removing a committee member from a public office or position of 5868
employment. 5869

Sec. 5903.02. (A) As used in this section, ~~"uniformed ;~~ 5870

(1) "Uniformed services" and "service in the uniformed 5871
services" have the same meanings as in the "Uniformed Services 5872
Employment and Reemployment Rights Act of 1994," 108 Stat. 3149, 5873
38 U.S.C.A. 4303. 5874

(2) "Organized militia of another state" means the 5875
national guard of any state, territory, or district other than 5876
Ohio or any military or naval force recognized under the laws of 5877
a state, district, or territory other than Ohio. 5878

(B) Any person whose absence from a position of employment 5879
is necessitated by reason of service in the uniformed services 5880
~~or,~~ in the Ohio organized militia, or in the organized militia 5881
of another state has the same reinstatement and reemployment 5882
rights in this state that a person has under the "Uniformed 5883

Services Employment and Reemployment Rights Act of 1994." A 5884
person who is denied a reinstatement or reemployment right 5885
pursuant to this section has a cause of action for the same 5886
remedies as a person has under the "Uniformed Services 5887
Employment and Reemployment Rights Act of 1994." The court of 5888
common pleas, notwithstanding any sum limitation established by 5889
decision of a board of county commissioners pursuant to section 5890
2305.01 of the Revised Code, shall have exclusive original 5891
jurisdiction for such actions, unless the defendant is the 5892
state, in which case the court of claims shall have exclusive 5893
original jurisdiction pursuant to division (C) of this section. 5894

(C) A person who seeks reinstatement or reemployment 5895
rights with the state, pursuant to this section, may bring an 5896
action in the court of claims pursuant to this section or 5897
section 4323 of the "Uniformed Services Employment and 5898
Reemployment Rights Act of 1994." 5899

(D) In any action or proceeding to enforce a provision of 5900
this section, the court shall require the defendant to pay the 5901
court costs if the plaintiff is the prevailing party in the 5902
action or proceeding. If the plaintiff is not the prevailing 5903
party, the court may use its discretion in allocating court 5904
costs among the parties to the action. 5905

(E) In any action or proceeding to enforce a provision of 5906
this section the court may award to a plaintiff who prevails in 5907
such action or proceeding reasonable attorney's fees, expert 5908
witness fees, and other litigation expenses. If the plaintiff 5909
does not receive a favorable judgment from the court in that 5910
action, the court shall not require the plaintiff to reimburse 5911
the state or the defendant for attorney's fees. 5912

(F) The director of administrative services shall adopt 5913

rules in accordance with Chapter 119. of the Revised Code for 5914
the implementation of this chapter with respect to persons in 5915
public service. 5916

(G) A person is not entitled to a remedy in a state action 5917
under division (B) or (C) of this section if the person has 5918
received a remedy based on the same facts under the "Uniformed 5919
Services Employment and Reemployment Rights Act of 1994." If a 5920
person has received a remedy in a state action under division 5921
(B) or (C) of this section and then receives a remedy based on 5922
the same facts under the "Uniformed Services Employment and 5923
Reemployment Rights Act of 1994," the person shall reimburse the 5924
judgment debtor the value of the federal remedy or the state 5925
remedy whichever is less. 5926

Sec. 5911.09. For each armory erected or provided, the 5927
adjutant general shall appoint a ~~board of control, to consist of~~ 5928
~~one or more officers~~ officer who shall be an officer of one of 5929
the organizations or units quartered therein. ~~Such board or The~~ 5930
control officer in control may rent the armory for temporary 5931
purposes, subject to regulations prescribed by the adjutant 5932
general, and the money derived from such rental shall be paid 5933
into the treasury of the armory ~~board of control~~ officer. 5934

Sec. 5911.12. The ~~board of armory control provided for by~~ 5935
~~section 5911.09 of the Revised Code,~~ officer shall make an 5936
annual report of the proceedings incident to the location and 5937
management of grounds, airfields, armories, and other buildings 5938
for military purposes and a detailed account of all receipts and 5939
disbursements. The report shall be filed in the office of the 5940
adjutant general. 5941

Section 2. That existing sections 9.901, 101.82, 101.83, 5942
101.84, 101.85, 101.86, 101.87, 107.12, 109.71, 135.143, 5943

149.301, 149.302, 149.43, 154.01, 154.22, 174.06, 189.10, 5944
505.375, 924.01, 924.04, 924.07, 924.09, 924.24, 924.25, 924.26, 5945
1501.012, 1501.07, 1503.03, 1505.05, 1505.12, 1505.13, 1510.01, 5946
1510.02, 1510.04, 1510.05, 1510.06, 1510.08, 1510.09, 1510.10, 5947
1510.11, 1513.27, 1513.28, 1513.30, 1513.31, 1513.32, 1513.37, 5948
1517.23, 1546.06, 1547.81, 1551.35, 1557.06, 2933.82, 3334.03, 5949
3334.08, 3701.344, 3701.77, 3702.71, 3702.79, 3705.35, 3705.36, 5950
3707.521, 3711.20, 3727.39, 3727.41, 3745.015, 3772.02, 3905.04, 5951
3905.481, 3905.484, 3905.485, 3905.486, 3905.88, 3929.51, 5952
4121.61, 4503.515, 4740.14, 5903.02, 5911.09, and 5911.12 and 5953
sections 109.561, 149.303, 193.01, 193.03, 193.05, 193.07, 5954
193.09, 1505.11, 1506.12, 1513.29, 1517.03, 1517.04, 1521.19, 5955
1546.30, 1546.31, 3333.58, 3701.346, 3701.773, 3701.774, 5956
3702.80, 3702.81, 3727.31, 3727.311, 3727.312, 3727.313, 5957
3727.32, 3727.321, 3905.483, and 4121.70 of the Revised Code are 5958
hereby repealed. 5959

Section 3. The following agencies are retained under 5960
division (D) of section 101.83 of the Revised Code and expire at 5961
the end of the thirty-first day of December 2020: 5962

Advisory Board to Assist and Advise in the R.C. 3323.33 5963
Operation of the Ohio Center for 5964
Autism and Low Incidence 5965

Advisory Boards to EPA for Air Pollution R.C. 121.13 5966

Advisory Boards to EPA for Water Pollution R.C. 121.13 5967
Control 5968

Advisory Committee on Livestock Exhibitions R.C. 901.71 5969

Advisory Council's for Wild, Scenic, R.C. 1547.84 5970
or Recreational River Area(s) 5971

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| Advisory Councils (for any department in order to meet federal regulations) | R.C. 107.18 | 5972 5973 |
| Advisory Council on Amusement Ride Safety | R.C. 1711.51 | 5974 |
| Agricultural Commodity Marketing Programs Coordinating Committee | R.C. 924.14 | 5975 5976 |
| Agricultural Commodity Marketing Programs Operating Committee | R.C. 924.07 | 5977 5978 |
| AMBER Alert Advisory Committee | R.C. 5502.521 | 5979 |
| Apprenticeship Council | R.C. 4139.02 | 5980 |
| Automated Title Processing Board | R.C. 4505.09 | 5981 |
| Backflow Advisory Board | R.C. 3703.21 | 5982 |
| Banking Commission | R.C. 1123.01 | 5983 |
| Board of Directors of the Ohio Health Reinsurance Program | R.C. 3924.08 | 5984 5985 |
| Board of Governors of the Commercial Insurance Joint Underwriting Association | R.C. 3930.03 | 5986 5987 5988 |
| Board of Governors of the Medical Liability Underwriting Association | R.C. 3929.64 | 5989 5990 |
| Board of Voting Machine Examiners | R.C. 3506.05 | 5991 |
| Brain Injury Advisory Committee | R.C. 3335.61 | 5992 |
| Broadcast Educational Media Commission | R.C. 3353.02 | 5993 |
| Bureau of Workers' Compensation Board of Directors | R.C. 4121.12 | 5994 5995 |
| Capitol Square Review and Advisory Board | R.C. 105.41 | 5996 |

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| Child Care Advisory Council | R.C. 5104.08 | 5997 |
| Child Support Guideline Advisory Council | R.C. 3119.024 | 5998 |
| Children's Trust Fund Board | R.C. 3109.15 | 5999 |
| Citizen's Advisory Council | R.C. 5123.092 | 6000 |
| Clean Ohio Trail Advisory Board | R.C. 1519.06 | 6001 |
| College Credit Plus Advisory Committee | R.C. 3365.15 | 6002 |
| Commercial Dog Breeding Advisory Board | R.C. 956.17 | 6003 |
| Commission on African-American Males | R.C. 4112.12 | 6004 |
| Commission on Hispanic-Latino Affairs | R.C. 121.31 | 6005 |
| Commission on Minority Health | R.C. 3701.78 | 6006 |
| Committee on Chartered Nonpublic Schools | Section 11, | 6007 |
| Graduation Requirements | Am. Sub. H.B. | 6008 |
| | 487, 130th | 6009 |
| | G.A. | 6010 |
| Committee on Prescriptive Governance | R.C. 4723.49 | 6011 |
| Commodity Advisory Commission | R.C. 926.32 | 6012 |
| Continuing Education Committee (sheriffs) | R.C. 109.80 | 6013 |
| County Sheriff's Standard Car Marking and Uniform Commission | R.C. 311.25 | 6014 6015 |
| Credential Review Board | R.C. 3319.65 | 6016 |
| Credit Union Council | R.C. 1733.329 | 6017 |
| Criminal Justice Recodification Committee | Section | 6018 |
| | 729.10, Am. | 6019 |
| | Sub. H.B. | 6020 |

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| | 483, 130th | 6021 |
| | G.A. | 6022 |
| Criminal Sentencing Advisory Committee | R.C. 181.22 | 6023 |
| Dentist Loan Repayment Advisory Board | R.C. 3702.92 | 6024 |
| Director of Health's Advisory Group on Violent Deaths | R.C. 3701.932 | 6025 6026 |
| Directors of the Medical Liability Underwriting Association | R.C. 3929.631 | 6027 6028 |
| Stabilization Reserve Fund | | 6029 |
| Early Childhood Advisory Council | R.C. 3301.90 | 6030 |
| Early Childhood Financing Workgroup | Section | 6031 |
| | 265.70.20, | 6032 |
| | H.B. 1, 128th | 6033 |
| | G.A. | 6034 |
| Education Management Information System Advisory Board | R.C. 3301.0713 | 6035 6036 |
| Educator Standards Board | R.C. 3319.60 | 6037 |
| Electrical Safety Inspector Advisory Committee | R.C. 3783.08 | 6038 6039 |
| Emergency Response Commission | R.C. 3750.02 | 6040 |
| Engineering Experiment Station Advisory Committee | R.C. 3335.27 | 6041 6042 |
| English Language Arts Academic Standards Review Committee | R.C. 3301.079 | 6043 6044 |
| Environmental Education Council | R.C. 3745.21 | 6045 |
| Ex-Offender Reentry Coalition | R.C. 5120.07 | 6046 |

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| Farmland Preservation Advisory Board | R.C. 901.23 | 6047 |
| Forestry Advisory Council | R.C. 1503.40 | 6048 |
| Governor's Council on People with Disabilities | R.C. 3303.41 | 6049 |
| Governor's Residence Advisory Commission | R.C. 107.40 | 6050 |
| Grace Commission | Section | 6051 |
| | 701.05, Am. | 6052 |
| | Sub. H.B. 64, | 6053 |
| | 131st G.A. | 6054 |
| Grain Marketing Program Operating Committee | R.C. 924.22 | 6055 |
| Higher Education Student Financial Aid | Section 6, | 6056 |
| Workgroup | Sub. H.B. | 6057 |
| | 484, 130th | 6058 |
| | G.A. | 6059 |
| Homeland Security Advisory Council | R.C. 5502.011 | 6060 |
| Industrial Commission Nominating Council | R.C. 4121.04 | 6061 |
| Infant Hearing Screening Subcommittee | R.C. 3701.507 | 6062 |
| Joint Select Committee on Volume Cap | R.C. 133.021 | 6063 |
| Land Use Advisory Committee to the President | R.C. 3337.16 | 6064 |
| of Ohio University | | 6065 |
| Legislative Programming Committee of the Ohio | R.C. 3353.07 | 6066 |
| Government Telecommunications | | 6067 |
| Service | | 6068 |
| Legislative Task Force on Redistricting, | R.C. 103.51 | 6069 |
| Reapportionment, and Demographic | | 6070 |
| Research | | 6071 |
| Local Government Innovation Council | R.C. 189.03 | 6072 |

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| Materials Management Advisory Council | R.C. 3734.49 | 6073 |
| Mathematics Academic Standards Review Committee | R.C. 3301.079 | 6074 6075 |
| Medically Handicapped Children's Medical Advisory Council | R.C. 3701.025 | 6076 6077 |
| Milk Sanitation Board | R.C. 917.03 | 6078 |
| Minority Development Financing Advisory Board | R.C. 122.72 | 6079 6080 |
| MARCS Steering Committee and Statewide Communication System | Section 15.02, H.B. 640, 123rd G.A. | 6081 6082 6083 6084 |
| New African Immigrants Commission | R.C. 4112.31 | 6085 |
| Office of Enterprise Development Advisory Board | R.C. 5145.162 | 6086 6087 |
| Ohio Advisory Council for the Aging | R.C. 173.03 | 6088 |
| Ohio Aerospace and Aviation Technology Committee | R.C. 122.98 | 6089 6090 |
| Ohioana Library Association, Martha Kinney Cooper Memorial, Board of Trustees | R.C. 3375.62 | 6091 6092 |
| Ohio Agricultural License Plate Scholarship Fund Board | R.C. 901.90 | 6093 6094 |
| Ohio Arts Council | R.C. 3379.02 | 6095 |
| Ohio Business Gateway Steering Committee | R.C. 5703.57 | 6096 |
| Ohio Cemetery Dispute Resolution Commission | R.C. 4767.05 | 6097 |

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| Ohio Civil Rights Commission Advisory | R.C. 4112.04 | 6098 |
| Agencies and Conciliation Councils | | 6099 |
| Ohio Commission on Service and Volunteerism | R.C. 121.40 | 6100 |
| Ohio Constitutional Modernization Commission | R.C. 103.61 | 6101 |
| Ohio Cystic Fibrosis Legislative Task Force | R.C. 101.38 | 6102 |
| Ohio Developmental Disabilities Council | R.C. 5123.35 | 6103 |
| Ohio Expositions Commission | R.C. 991.02 | 6104 |
| Ohio Family and Children First Cabinet | R.C. 121.37 | 6105 |
| Council | | 6106 |
| Ohio Geographically Referenced Information | R.C. 125.901 | 6107 |
| Program Council | | 6108 |
| Ohio Grape Industries Committee | R.C. 924.51 | 6109 |
| Ohio Historic Site Preservation Advisory | R.C. 149.301 | 6110 |
| Board | | 6111 |
| Ohio History Connection Board of Trustees | R.C. 149.30 | 6112 |
| Ohio Judicial Conference | R.C. 105.91 | 6113 |
| Ohio Lake Erie Commission | R.C. 1506.21 | 6114 |
| Ohio Livestock Care Standards Board | R.C. 904.02 | 6115 |
| Ohio Medical Quality Foundation | R.C. 3701.89 | 6116 |
| Ohio Military Facilities Commission | R.C. 5913.12 | 6117 |
| Ohio Private Investigation and Security | R.C. 4749.021 | 6118 |
| Services Commission | | 6119 |
| Ohio Public Defender Commission | R.C. 120.01 | 6120 |
| Ohio Public Library Information Network | R.C. 3375.65 | 6121 |

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| Board of Trustees | | 6122 |
| Ohio Small Government Capital Improvements | R.C. 164.02 | 6123 |
| Commission | | 6124 |
| Ohio Soil and Water Conservation Commission | R.C. 1515.02 | 6125 |
| Ohio Standardbred Development Commission | R.C. 3769.085 | 6126 |
| Ohio Thoroughbred Racing Advisory Committee | R.C. 3769.084 | 6127 |
| Ohio 2020 Tax Policy Study Commission | Section | 6128 |
| | 757.50, H.B. | 6129 |
| | 64, 131st | 6130 |
| | G.A. | 6131 |
| Ohio Vendors Representative Committee | R.C. 3304.34 | 6132 |
| Ohio War Orphans Scholarship Board | R.C. 5910.02 | 6133 |
| Ohio Water Advisory Council | R.C. 1521.031 | 6134 |
| Oil and Gas Leasing Commission | R.C. 1509.71 | 6135 |
| Opportunities for Ohioans with Disabilities | R.C. 3304.12 | 6136 |
| Commission | | 6137 |
| Opportunities for Ohioans with Disabilities | R.C. 3304.14 | 6138 |
| Commission Consumer Advisory Committee | | 6139 |
| Organized Crime Investigations Commission | R.C. 177.01 | 6140 |
| Pharmacy and Therapeutics Committee of | R.C. 5164.7510 | 6141 |
| the Department of Medicaid | | 6142 |
| Physician Assistant Policy Committee of the | R.C. 4730.05 | 6143 |
| State Medical Board | | 6144 |
| Power Siting Board | R.C. 4906.02 | 6145 |

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| Prequalification Review Board | R.C. 5525.07 | 6146 |
| Public Utilities Commission Nominating Council | R.C. 4901.021 | 6147 6148 |
| Radiation Advisory Council | R.C. 3748.20 | 6149 |
| Reclamation Commission | R.C. 1513.05 | 6150 |
| Reclamation Forfeiture Fund Advisory Board | R.C. 1513.182 | 6151 |
| Savings and Loan Associations and Savings Banks Board | R.C. 1181.16 | 6152 6153 |
| School and Ministerial Lands Divestiture Committee | R.C. 501.041 | 6154 6155 |
| Science Academic Standards Review Committee | R.C. 3301.079 | 6156 |
| Small Business Advisory Council | R.C. 107.63 | 6157 |
| Small Business Stationary Source Technical and Environmental Compliance Assistance Council | R.C. 3704.19 | 6158 6159 6160 |
| Social Studies Academic Standards Review Committee | R.C. 3301.079 | 6161 6162 |
| Special Commission to Consider the Suspension of Local Government Officials | R.C. 3.16 | 6163 6164 6165 |
| State Audit Committee | R.C. 126.46 | 6166 |
| State Council of Uniform State Laws | R.C. 105.21 | 6167 |
| State Criminal Sentencing Commission | R.C. 181.21 | 6168 |
| State Racing Commission | R.C. 3769.02 | 6169 |
| State Victims Assistance Advisory Council | R.C. 109.91 | 6170 |

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| Straight A Program Advisory Committee | Section | 6171 |
| | 263.325, Am. | 6172 |
| | Sub. H.B. 59, | 6173 |
| | 130th G.A. | 6174 |
| Straight A Program Governing Board | Section | 6175 |
| | 263.350, Am. | 6176 |
| | Sub. H.B. 64, | 6177 |
| | 131st G.A. | 6178 |
| State Fire Council | R.C. 3737.81 | 6179 |
| Statewide Consortium of County Law Library | R.C. 3375.481 | 6180 |
| Resource Boards | | 6181 |
| STEM Committee of the Department of Education | R.C. 3326.02 | 6182 |
| Student Tuition Recovery Authority | R.C. 3332.081 | 6183 |
| Supervisory Investigative Panel of the State | R.C. 4715.032 | 6184 |
| Dental Board | | 6185 |
| Tax Credit Authority | R.C. 122.17 | 6186 |
| Technical Advisory Council on Oil and Gas | R.C. 1509.38 | 6187 |
| TourismOhio Advisory Board | R.C. 122.071 | 6188 |
| Transportation Advisory Council of a | R.C. 4504.22 | 6189 |
| Transportation Improvement Project | | 6190 |
| Transportation Review Advisory Council | R.C. 5512.07 | 6191 |
| Unemployment Compensation Advisory Council | R.C. 4141.08 | 6192 |
| Unemployment Compensation Review Commission | R.C. 4141.06 | 6193 |
| Utility Radiological Safety Board | R.C. 4937.02 | 6194 |
| Veterans Advisory Committee | R.C. 5902.02 | 6195 |

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| Volunteer Fire Fighters' Dependents Fund | R.C. 146.02 | 6196 |
| Boards (private) | | 6197 |
| Volunteer Fire Fighters' Dependents Fund | R.C. 146.02 | 6198 |
| Boards (public) | | 6199 |
| Waterways Safety Council | R.C. 1547.73 | 6200 |
| Wildlife Council | R.C. 1531.03 | 6201 |
| Workers' Compensation Board of Directors | R.C. 4121.12 | 6202 |
| Nominating Committee | | 6203 |
| Section 4. The following Sections are repealed: | | 6204 |
| Sections 259.270, 263.560, 327.320, 737.10, and 745.10 of | | 6205 |
| Am. Sub. H.B. 64 of the 131st General Assembly | | 6206 |
| Sections 323.234, 323.235, 747.10, and 753.30 of Am. Sub. | | 6207 |
| H.B. 59 of the 130th General Assembly | | 6208 |
| Section 5 of Am. Sub. H.B. 487 of the 130th General | | 6209 |
| Assembly | | 6210 |
| Section 5 of Sub. H.B. 5 of the 130th General Assembly | | 6211 |
| Section 3 of Sub. H.B. 276 of the 129th General Assembly | | 6212 |
| Section 371.60.80 of Am. Sub. H.B. 153 of the 129th | | 6213 |
| General Assembly, as amended by Am. Sub. H.B. 487 of the 129th | | 6214 |
| General Assembly | | 6215 |
| Section 209.40 of Am. Sub. H.B. 153 of the 129th General | | 6216 |
| Assembly | | 6217 |
| Section 701.40 of Am. Sub. H.B. 153 of the 129th General | | 6218 |
| Assembly, as amended by Am. Sub. H.B. 487 of the 129th General | | 6219 |
| Assembly | | 6220 |
| Sections 751.13 and 751.20 of Am. Sub. H.B. 1 of the 128th | | 6221 |

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| General Assembly | 6222 |
| 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 | 6223 6224 6225 |
| Section 755.40 of Am. Sub. H.B. 2 of the 128th General Assembly | 6226 6227 |
| 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 | 6228 6229 |
| Section 313 of Am. Sub. H.B. 420 of the 127th General Assembly | 6230 6231 |
| Section 375.60.80 of Am. Sub. H.B. 119 of the 127th General Assembly | 6232 6233 |
| Section 560.03 of Am. Sub. H.B. 66 of the 126th General Assembly | 6234 6235 |
| Section 3 of Am. Sub. S.B. 311 of the 126th General Assembly | 6236 6237 |
| 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 | 6238 6239 6240 |
| Section 3 of Sub. H.B. 204 of the 125th General Assembly | 6241 |
| Section 5 of Sub. H.B. 57 of the 124th General Assembly | 6242 |
| 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. | 6243 6244 6245 6246 |
| That report is implemented in part as follows: | 6247 |

(A) By the abolishment in this act, through amendments to 6248
relevant codified sections of law and through outright repeals 6249
of codified or uncodified sections of law, of numerous agencies, 6250
as defined in section 101.82 of the Revised Code, that were 6251
subject to the Committee's jurisdiction; 6252

(B) By the termination, through amendments to relevant 6253
codified sections of law and through outright repeals of 6254
codified or uncodified sections of law, of several agencies, as 6255
defined in section 101.82 of the Revised Code, that were subject 6256
to the Committee's jurisdiction; 6257

(C) By the transfer, through the amendment of codified or 6258
uncodified sections of law, of several agencies, as defined in 6259
section 101.82 of the Revised Code, that were subject to the 6260
Committee's jurisdiction; 6261

(D) By the renewal, through the amendment or enactment of 6262
codified or uncodified sections of law, of the existence of 6263
numerous agencies, as defined in section 101.82 of the Revised 6264
Code, that were subject to the Committee's jurisdiction. 6265

Section 6. The terms of office for all members of the 6266
Housing Trust Fund Advisory Committee, appointed under section 6267
174.06 of the Revised Code before the effective date of this 6268
section, expire ninety days after the effective date of this 6269
section. The Governor shall appoint seven members to the 6270
Committee to serve terms of office beginning on that date. The 6271
Governor may appoint to the Committee a person who is serving, 6272
or has served, on the Committee before the effective date of 6273
this section, provided that the person is eligible for 6274
appointment under section 174.06 of the Revised Code, as amended 6275
by this act. 6276

Section 7. A gubernatorial appointee who is serving on the 6277
Ohio Tuition Trust Authority Advisory Board on the effective 6278
date of this section, and who, as a result of the amendments in 6279
this act to section 3334.03 of the Revised Code, no longer meets 6280
the qualifications for appointment, may continue to serve on the 6281
board until the expiration of the person's current term. The 6282
appointee is not eligible for reappointment to the board. 6283

Section 8. The abolition of the Ohio Water Resources 6284
Council, powers, and obligations do not affect the validity of 6285
contracts and agreements made by the council and its members 6286
under division (E) of section 1521.19 of the Revised Code or any 6287
other provisions of law. The Department of Natural Resources 6288
succeeds the Ohio Water Resources Council with respect to all of 6289
these contracts and agreements. Wherever the Ohio Water 6290
Resources Council is referred to in any provision of law, or in 6291
any contract, agreement, or document, the reference is to the 6292
Department of Natural Resources. 6293

All real property and interests therein, documents, books, 6294
money, papers, records, machinery, furnishings, office 6295
equipment, furniture, and all other property over which the Ohio 6296
Waters Resources Council has control are transferred to the 6297
Department of Natural Resources. 6298

Section 9. On July 1, 2016, or as soon as possible 6299
thereafter, the Director of Budget and Management shall transfer 6300
the cash balance in the Ohio Water Resources Council Fund (Fund 6301
4X80) to the General Revenue Fund. After completion of the 6302
transfer, Fund 4X80 shall be abolished. 6303

Section 10. The terms of office for all members of the 6304
Advisory Board of the Governor's Office of Faith-based and 6305
Community Initiatives appointed under section 107.12 of the 6306

Revised Code before the effective date of this section, expire 6307
on the effective date of this section. The Governor, the Speaker 6308
of the House of Representatives, and the President of the 6309
Senate, not later than sixty days after the effective date of 6310
this section, shall appoint members to the Board. A person who 6311
is serving, or has served, on the Board before the effective 6312
date of this section may be appointed to the newly constituted 6313
Board, provided that the person is eligible for appointment 6314
under section 107.12 of the Revised Code, as amended by this 6315
act. 6316

Section 11. It is the intent of the General Assembly 6317
formally to abolish the Compact with Ohio Cities Task Force, 6318
which was authorized in H.R. 20 of the 128th General Assembly to 6319
operate until September 30, 2009. 6320

Section 12. (A) The Governor may execute a deed in the 6321
name of the state conveying to Mucci Farms, Ltd. or its 6322
affiliates ("Grantee") and its heirs, successors, and assigns, 6323
all of the state's right, title, and interest in the following 6324
described real estate: 6325

Situated in the Township of Huron, County of Erie, State 6326
of Ohio, and is described as follows: 6327

Parcel 1 6328

Situated in the County of Erie in the State of Ohio, and 6329
in the Township of Huron and bounded and described as follows: 6330

Being the North 1/2 of Lot Number Twenty-one (21) in 6331
Section Number 2, containing 55.55 acres, more or less. 6332

Parcel 2 6333

Situated in the Township of Huron, County of Erie and 6334

State of Ohio: 6335

The West Thirty (30) acres of the East Forty (40) acres 6336
the South One-half (1/2) of original Lot Number Twenty-one (21), 6337
in Section Number Two (2), in Huron Township, Erie County, Ohio. 6338

Parcel 3 6339

Situated in the Township of Huron, County of Erie and 6340
State of Ohio: 6341

And being the East Ten (10) acres of the South One-half 6342
(1/2) of Lot Number Twenty-One (21) in Section Number Two (2) of 6343
said Township. Containing Ten acres, more or less. 6344

Property Address: Rye Beach Road, Huron, OH 44839 6345

Parcel No.: 39-67001.000 and 39-67002.000 and 39-67003.000 6346

Prior Instrument References: 6347

Deed Book 373, Page 269, Deed Book 373, Page 275, Deed 6348
Book 373, Page 264 6349

The foregoing legal description may be corrected or 6350
modified by the Department of Administrative Services as 6351
necessary in order to facilitate the recording of the deed. 6352

(B) (1) The conveyance includes any improvements and 6353
chattels situated on the real estate, and is subject to all 6354
easements, covenants, conditions, and restrictions of record: 6355
all legal highways and public rights-of-way; zoning, building, 6356
and other laws, ordinances, restrictions, and regulations; and 6357
real estate taxes and assessments not yet due and payable. The 6358
real estate shall be conveyed in an "as-is, where-is, with all 6359
faults" condition. 6360

(2) The deed for the conveyance of the real estate may 6361

contain restrictions, exceptions, reservations, reversionary 6362
interests, or other terms and conditions the Director of 6363
Administrative Services determines to be in the best interest of 6364
the state. 6365

(3) Subsequent to the conveyance, any restrictions, 6366
exceptions, reservations, reversionary interests, or other terms 6367
and conditions contained in the deed may be released by the 6368
state or Bowling Green State University without the necessity of 6369
further legislation. 6370

(C) Consideration for the conveyance of the real estate 6371
described in division (A) of this section is \$730,957.50 or 6372
\$7,650.00 per acre. 6373

The Director of Administrative Services shall offer the 6374
real estate to Mucci Farms, Ltd. through a real estate purchase 6375
agreement. If Mucci Farms, Ltd. does not complete the purchase 6376
of the real estate within the time period provided in the real 6377
estate purchase agreement, the Director of Administrative 6378
Services may use any reasonable method of sale considered 6379
acceptable by Bowling Green State University to determine an 6380
alternate grantee willing to complete the purchase not later 6381
than three years after the effective date of this section. In 6382
that case, consideration for the conveyance of the real estate 6383
shall be at a price acceptable to the Director of Administrative 6384
Services and Bowling Green State University. Bowling Green State 6385
University shall pay all advertising costs, additional fees, and 6386
other costs incident to the sale of the real estate to an 6387
alternate grantee or grantees. 6388

(D) The real estate described in division (A) of this 6389
section may be sold as an entire tract or in separate or 6390
multiple parcels. 6391

(E) All costs associated with the purchase, the closing, 6392
and the conveyance of the subject real property shall be paid by 6393
the grantee and Bowling Green State University in the manner 6394
stated in the real estate purchase agreement. 6395

The net proceeds of the sale shall be paid to Bowling 6396
Green State University and deposited in the appropriate 6397
university account, and shall be used by Bowling Green State 6398
University for debt retirement only. 6399

(F) Upon payment of the purchase price, the Auditor of 6400
State, with the assistance of the Attorney General, shall 6401
prepare a deed to the real estate described in division (A) of 6402
this section. The deed shall state the consideration and shall 6403
be executed by the Governor in the name of the state, 6404
countersigned by the Secretary of State, sealed with the Great 6405
Seal of the State, presented in the Office of the Auditor of 6406
State for recording, and delivered to the grantee. The grantee 6407
shall present the deed for recording in the Office of the Erie 6408
County Recorder. 6409

(G) This section expires three years after its effective 6410
date. 6411

(H) Before the execution of the deed described in division 6412
(F) of this section, possession of the real estate may be 6413
governed by an existing interim lease between the Ohio 6414
Department of Administrative Services and the grantee. 6415

Section 13. (A) The Governor may execute a deed in the 6416
name of the state conveying to Wooster Street Apartments, LLC 6417
("Grantee"), and its heirs, successors, and assigns, all of the 6418
state's right, title, and interest in the following described 6419
real estate: 6420

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 6451
the north 39.00 feet of the west 48.00 feet of the south 114.00 6452
feet of the east 150.00 feet of said Inlot 266 to a found iron 6453
pin; 6454

Thence North 89 degrees 29 minutes 47 seconds West along 6455
the southerly line of the north 39.00 feet of the west 48.00 6456
feet of the south 114.00 feet of the east 150.00 feet of said 6457
Inlot 266, a distance of 48.23 feet (48.00 feet Recorded) to the 6458
southwest corner of the north 39.00 feet of the west 48.00 feet 6459
of the south 114.00 feet of the east 150.00 feet of said Inlot 6460
266 to a set iron pin; 6461

Thence South 00 degrees 41 minutes 51 seconds West along 6462
the east line of the west 48.00 feet of said Inlot 266 and being 6463
the westerly line a parcel of land owned by Walston as described 6464
in Deed Volume 623, Page 334 and a parcel of land owned by 6465
Snyder as described in Deed Volume 628, Page 781 a distance of 6466
76.91 feet to a set pk nail at a point on the south line of said 6467
Inlot 266; 6468

Thence North 87 degrees 21 minutes 01 seconds West along 6469
the northerly line of a parcel of land owned by G Rem Family 6470
Investors LLC as described in O.R. 3115, Page 201 and being the 6471
southerly line of Inlot 266, a distance of 48.00 feet to found 6472
hollow pipe marking the southwest corner of said Inlot 266, 6473
point also being on the easterly line of said Inlot 213; 6474

Thence South 00 degrees 03 minutes 36 seconds West along 6475
the easterly line of said Inlot 213 and being the westerly line 6476
of a parcel of land owned by G Rem Family Investors LLC as 6477
described in O.R. 3115, Page 201 of Wood County Records and 6478
being the westerly line of Inlot 184, a distance of 7.89 feet to 6479
a set iron pin at the southeast corner of said Inlot 213; 6480

Thence North 89 degrees 29 minutes 47 seconds West along 6481
the southerly line of said Inlot 213 and being the northerly 6482
line of a parcel of land owned by Snyder as described in Deed 6483
Volume 2478, Page 237 of Wood County Records and being the 6484
northerly line of Inlot 214, a distance of 118.49 feet to a set 6485
iron pin at the southwest corner of said Inlot 213; 6486

Thence North 00 degrees 41 minutes 00 seconds East along 6487
the west lines of said Inlots 212 and 213 and the easterly 6488
right-of-way line of S. Prospect Street (60' Wide), a distance 6489
of 122.00 feet to the "True Point of Beginning"; 6490

The area herein described contains 21,846 square feet, 6491
0.502 acres of land, more or less, 0.152 acres within parcel 6492
B07-511-190317015000, 0.180 acres within parcel B07-511- 6493
190317016000, 0.127 acres within parcel B07-511-190317017000, 6494
and 0.043 acres within parcel B07-511-190317018000. Subject to 6495
all legal highways, leases, easements, restrictions and 6496
agreements of record. 6497

Prior Deed Reference: Parcel IV Described in Deed Volume 6498
503, Page 165 6499

NOTES: 6500

1. Coordinates shown and basis of bearings were determined 6501
by the Ohio State Plane coordinate system North zone (3401) and 6502
83 (2011) 2002.0 epoch, units in U.S. survey feet, obtained 6503
using gps equipment and the Ohio Department of Transportation 6504
VRS/RTK network. Grid coordinates were used. 6505

2. All Iron Pins set are 5/8" diameter rebar x 30" long 6506
with cap stamped "ESA LLC". 6507

3. The above description is based upon a field survey 6508
performed in April, 2016. 6509

The foregoing legal description may be corrected or 6510
modified by the Department of Administrative Services as 6511
necessary in order to facilitate the recording of the deed. 6512

(B) (1) The conveyance includes improvements and chattels 6513
situated on the real estate, and is subject to all easements, 6514
covenants, conditions, and restrictions of record; all legal 6515
highways and public rights-of-way; zoning, building, and other 6516
laws, ordinances, restrictions, and regulations; and real estate 6517
taxes and assessments not yet due and payable. The real estate 6518
shall be conveyed in an "as-is, where-is, with all faults" 6519
condition. 6520

(2) The deed for the conveyance of the real estate may 6521
contain restrictions, exceptions, reservations, reversionary 6522
interests, or other terms and conditions the Director of 6523
Administrative Services determines to be in the best interest of 6524
the state. 6525

(3) Subsequent to the conveyance, any restrictions, 6526
exceptions, reservations, reversionary interests, or other terms 6527
and conditions contained in the deed may be released by the 6528
state or Bowling Green State University without the necessity of 6529
further legislation. 6530

(C) Consideration for the conveyance of the real estate 6531
described in division (A) of this section is \$180,000. 6532

The Director of Administrative Services shall offer the 6533
real estate to Wooster Street Apartments, LLC through a real 6534
estate purchase agreement. If Wooster Street Apartments, LLC 6535
does not complete the purchase of the real estate within the 6536
time period provided in the real estate purchase agreement, the 6537
Director of Administrative Services may use any reasonable 6538

method of sale considered acceptable by Bowling Green State 6539
University to determine an alternate grantee or grantees willing 6540
to complete the purchase not later than three years after the 6541
effective date of this section. In that case, consideration for 6542
the conveyance of the real estate shall be at a price acceptable 6543
to the Director of Administrative Services and Bowling Green 6544
State University. Bowling Green State University shall pay all 6545
advertising costs, additional fees, and other costs incident to 6546
the sale of the real estate to an alternate grantee or grantees. 6547

(D) The real estate described in division (A) of this 6548
section shall be sold as an entire tract and not in parcels. 6549

(E) Grantee shall pay all costs associated with the 6550
purchase, closing, and conveyance of the real estate, including 6551
surveys, title evidence, title insurance, transfer costs and 6552
fees, recording costs and fees, taxes, and any other fees, 6553
assessments, and costs that may be imposed. 6554

The net proceeds of the sale shall be paid to Bowling 6555
Green State University and deposited in the appropriate 6556
university account, and shall be used by Bowling Green State 6557
University for debt retirement only. 6558

(F) Upon payment of the purchase price, the Auditor of 6559
State, with the assistance of the Attorney General, shall 6560
prepare a deed to the real estate described in division (A) of 6561
this section. The deed shall state the consideration and shall 6562
be executed by the Governor in the name of the state, 6563
countersigned by the Secretary of State, sealed with the Great 6564
Seal of the State, presented in the Office of the Auditor of 6565
State for recording, and delivered to the grantee. The grantee 6566
shall present the deed for recording in the Office of the Wood 6567
County Recorder. 6568

(G) This section expires three years after its effective date. 6569
6570

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: 6571
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Situated in the City of East Liverpool, County of Columbiana and State of Ohio: 6577
6578

TRACT NO. 1: 6579

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. 6580
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Tax Parcel No. 37-08296.000 6594

TRACT NO. 2: 6595

Known as and being the southeast rectangular corner of Lot Number Five Hundred Forty-one (541), as said Lot is numbered and 6596
6597

distinguished on the recorded plat of Josiah Thompson's First 6598
Addition to said City of East Liverpool, Ohio. Said part of said 6599
Lot herein described and hereby conveyed is bounded and more 6600
specifically described as follows, to wit: Beginning at the 6601
southeast corner of said Lot No. 541, which said place of 6602
beginning is the northwest corner of the intersection of College 6603
Street and Pleasant Lane; thence extending from said place of 6604
beginning North 33 feet with the east line of said Lot 541, to 6605
the northeast corner of the premises hereby conveyed; thence 6606
extending west 54 ½ feet, with a line parallel to and 33 feet 6607
distant north from the south line of said Lot No. 541, to the 6608
northwest corner of the premises hereby conveyed; thence 6609
extending south 33 feet, with a line parallel to and 54 ½ feet 6610
distant west from the east line of said Lot No. 541, to a point 6611
in the south line of said Lot No. 541; thence extending east 54 6612
½ feet, with the south line of said Lot No. 541, to said place 6613
of beginning. Said premises are otherwise described as follows: 6614
Bounded on the east by the west line of College Street; bounded 6615
on the south by the north line of Pleasant Lane; bounded on the 6616
West by a line parallel to and 54 ½ feet distant west from the 6617
west line of said College Street; and bounded on the north by a 6618
line parallel to and 33 feet distant north from the north line 6619
of Pleasant Lane. For purposes of describing said premises, said 6620
College Street is considered to extend north and south, and said 6621
Pleasant Lane is considered to extend east and west. Plat Book 6622
1, Page 12. 6623

AND BEING the same property conveyed to Kent State 6624
University from the American National Red Cross by Warranty Deed 6625
dated April 28, 2009 and recorded May 14, 2009 in Book 1681, 6626
Page 470. (TRACTS 1 and 2) 6627

Tax Parcel No. 37-05974.000 6628

TRACT NO. 3: 6629

Known as and being that part of Lot Number Five Hundred 6630
Forty-two (542) as said Lot is numbered and distinguished on the 6631
recorded plat of Josiah Thompson's First Addition, Plat Book 1, 6632
Page 12, which is bounded and described as follows: 6633

Commencing at a point on the north side of Robinson 6634
Street, now known as East Fourth Street, thirty-six (36) feet 6635
eastward of the south west corner of said Lot, and running 6636
thence northward, in line parallel with Grove Alley, one hundred 6637
nine (109) feet to Pleasant Lane; thence with the south side of 6638
Pleasant Lane eastward thirty-seven (37) feet; thence in line 6639
parallel with College Street, southward one hundred nine (109) 6640
feet to the north side of Robinson Street, now known as East 6641
Fourth Street; thence with the north side of Robinson Street, 6642
now known as East Fourth Street, westward thirty-seven (37) feet 6643
to the place of beginning. 6644

Subject to all legal highways and easements of record. 6645

AND BEING the same property conveyed to Kent State 6646
University Board of Trustees from Kathleen P. Treasure, htta 6647
Kathleen P. Altdoerffer, married, by Warranty Deed dated April 6648
26, 2008 and recorded May 9, 2008 in Book 1626, Page 450. 6649

Tax Parcel No. 37-05208.000 6650

The foregoing legal description may be corrected or 6651
modified by the Department of Administrative Services as 6652
necessary in order to facilitate the recording of the deed. 6653

(B) (1) The conveyance shall include the improvements and 6654
chattels situated on the real estate, and is subject to all 6655
easements, covenants, conditions, and restrictions of record; 6656
all legal highways and public rights-of-way; zoning, building, 6657

and other laws, ordinances, restrictions, and regulations; and 6658
real estate taxes and assessments not yet due and payable. The 6659
real estate shall be conveyed in an "as-is, where-is, with all 6660
faults" condition. 6661

(2) The deed may contain restrictions, exceptions, 6662
reservations, reversionary interests, and other terms and 6663
conditions the Director of Administrative Services determines to 6664
be in the best interest of the state. 6665

(3) Subsequent to the conveyance, any restrictions, 6666
exceptions, reservations, reversionary interests, or other terms 6667
and conditions contained in the deed may be released by the 6668
state or Kent State University without the necessity of further 6669
legislation. 6670

The deed or deeds may contain restrictions prohibiting the 6671
grantee or grantees from occupying, using, developing, or 6672
selling the real estate if the occupation, use, development, or 6673
sale will interfere with the quiet enjoyment of neighboring 6674
state-owned land. 6675

(C) The Director of Administrative Services shall conduct 6676
a sale of the real estate by sealed bid auction or public 6677
auction, and the real estate shall be sold to the highest bidder 6678
at a price acceptable to the Director of Administrative Services 6679
and Kent State University. The Director of Administrative 6680
Services shall advertise the sealed bid auction or public 6681
auction by publication in a newspaper of general circulation in 6682
Columbiana County, once a week for three consecutive weeks 6683
before the date on which the sealed bids are to be opened or the 6684
public auction held. The Director of Administrative Services 6685
shall notify the successful bidder in writing. The Director of 6686
Administrative Services may reject any or all bids. 6687

The purchaser shall pay ten percent of the purchase price 6688
to the Director of Administrative Services not later than five 6689
business days after receiving the notice the bid has been 6690
accepted and shall enter into a real estate purchase agreement, 6691
in the form prescribed by the Department of Administrative 6692
Services. Payment shall be made by certified check made payable 6693
to the Treasurer of State. The purchaser shall submit the 6694
balance of the purchase price to the Director of Administrative 6695
Services at closing. A purchaser who does not complete the 6696
conditions of the sale as prescribed in this division shall 6697
forfeit as liquidated damages the ten percent of the purchase 6698
price paid to the state. If a purchaser fails to complete the 6699
purchase, the Director of Administrative Services may accept the 6700
next highest bid, subject to the foregoing conditions. If the 6701
Director of Administrative Services rejects all bids, the 6702
Director may repeat the sealed bid auction or public auction, or 6703
may use an alternative sale process that is acceptable to Kent 6704
State University. Any subsequent costs attributed to the 6705
marketing of a secondary sale shall be the responsibility of 6706
Kent State University. 6707

(D) The real estate described in division (A) of this 6708
section shall be sold as an entire tract and not in parcels. 6709

(E) Purchaser shall pay all costs associated with the 6710
purchase, closing, and conveyance, including surveys, title 6711
evidence, title insurance, transfer costs and fees, recording 6712
costs and fees, taxes, and any other fees, assessments, and 6713
costs that may be imposed. 6714

(F) The net proceeds of the sale of the real estate shall 6715
be paid to Kent State University and deposited in the 6716
appropriate university accounts, and shall be used by Kent State 6717

University for debt retirement only. 6718

(G) Upon payment of the purchase price, the Auditor of 6719
State, with the assistance of the Attorney General, shall 6720
prepare a deed conveying the real estate described in division 6721
(A) of this section to the purchaser. The deed shall state the 6722
consideration and shall be executed by the Governor in the name 6723
of the state, countersigned by the Secretary of State, sealed 6724
with the Great Seal of the State, presented in the Office of the 6725
Auditor of State for recording, and delivered to the Grantee. 6726
The purchaser shall present the deed for recording in the Office 6727
of the Columbiana County Recorder. 6728

(H) This section expires three years after its effective 6729
date. 6730

Section 15. (A) The Governor may execute a deed in the 6731
name of the state conveying to the Board of Trustees of the 6732
Columbus Metropolitan Library, a county library district, (body 6733
politic and corporate pursuant to section 3375.33 of the Revised 6734
Code) ("Grantee") its successors and assigns, all of the state's 6735
right, title, and interest in the following described real 6736
estate: 6737

Tract One 6738

0.278 ACRE TRACT 6739

Situated in the State of Ohio, County of Franklin, City of 6740
Columbus, being all of Lot 28 and part of Lot 29 of the Eastwood 6741
Heights Addition Plat Book 4, Page 109 as conveyed to The Ohio 6742
State University by deed of record in Instrument No. 6743
199904090088853 as recorded in the Franklin County Recorder's 6744
Office and being further described as follows: 6745

Beginning at a mag nail set in the northerly line of Lot 6746

29 at the intersection of the extension of the southerly 6747
existing right of way line of Eastwood Avenue (50' Wide) and the 6748
westerly line of a 0.016 acre tract located in Lot 29 and 6749
conveyed as right of way to the City of Columbus in Official 6750
Record 7778, Page C07; 6751

Thence South 03°52'26" West, a distance of 139.95 feet 6752
leaving said southerly existing right of way line and passing 6753
through said Lot 29 to a ¾" iron pipe found in the southerly 6754
line of Lot 29 at the intersection of the extension of the 6755
northerly existing right of way line of Elmwood Alley (20' 6756
Wide); 6757

Thence North 87°37'31" West, a distance of 86.67 feet in 6758
the southerly line of Lots 29 and 28 along said northerly 6759
existing right of way line to a ¾" iron pipe at the 6760
southeasterly corner of Lot 27 and a parcel of land conveyed to 6761
Surreal Estate, LLC by deed of record in Instrument No. 6762
201510090143918; 6763

Thence North 03°52'26" East, a distance of 139.95 feet 6764
leaving said northerly existing right of way line and along the 6765
easterly line of Lot 27 and said Surreal Estate parcel to a ¾" 6766
iron pipe found on the southerly existing right of way line of 6767
Eastwood Avenue and being the northeasterly corner of Lot 27 and 6768
said Surreal Estate parcel; 6769

Thence South 87°37'31" East, a distance of 86.67 feet in 6770
the northerly line of Lots 28 and 29 along the southerly 6771
existing right of way line of Eastwood Avenue to the TRUE POINT 6772
OF BEGINNING and containing 0.278 acres, more or less, of which 6773
0.016 acres as conveyed to the City of Columbus in Official 6774
Record 7778, Page B19 are within the present road occupied. 6775

Of the above described tract, 0.147 acres, more or less, 6776
are located within Auditor's Parcel No. 010-051904 and 0.131 6777
acres (PRO 0.016 acres), more or less, are located within 6778
Auditor's Parcel No. 010-018902. 6779

The basis of bearing of South 85°58'02" East on the 6780
southerly existing right of way line of Long Street is 6781
referenced to the State Plane Coordinate System South Zone NAD 6782
83 (NSRS 2011). 6783

This description was prepared by Tony W. Meacham, Ohio 6784
Professional Surveyor No. 7799 from an actual field survey 6785
performed in 2016 by Korda/Nemeth Engineering, Inc. 6786

Iron pins set are 5/8" x 30" rebar topped by an orange cap 6787
stamped "KNE PS NO. 7799." 6788

Tract Two 6789

0.299 ACRE TRACT 6790

Situated in the State of Ohio, County of Franklin, City of 6791
Columbus, being all of Lots 30-31 of the Eastwood Heights 6792
Addition Plat Book 4, Page 109 as conveyed to The Ohio State 6793
University by deed of record in Instrument No. 199904090088853 6794
as recorded in the Franklin County Recorder's Office and being 6795
further described as follows: 6796

Beginning at a mag nail set at the intersection of the 6797
northerly existing right of way line of Eastwood Avenue (50' 6798
Wide) and the westerly existing right of way line of Taylor 6799
Avenue (Width Varies), said intersection also being the 6800
southeasterly corner of Lot 30 of the Eastwood Heights Addition; 6801

Thence North 87°37'31" West, a distance of 89.37 feet 6802
along said northerly existing right of way line to a ¾" iron 6803

pipe found at the southeasterly corner of Lot 32 and a parcel of 6804
land conveyed to Kenneth A. Fischer by deed of record in 6805
Instrument No. 199903290076857; 6806

Thence North 03°52'26" East, a distance of 146.85 feet 6807
leaving said northerly existing right of way line and along the 6808
easterly line of Lot 32 and said Fischer parcel to an iron pin 6809
set on the southerly existing right of way line of Maplewood 6810
Alley (20' Wide) and being the northeasterly corner of Lot 32 6811
and said Fischer parcel; 6812

Thence South 85°58'02" East, a distance of 89.34 feet 6813
leaving the easterly line of Lot 32 and said Fischer parcel 6814
along said southerly existing right of way line to a mag nail 6815
set at the intersection of said southerly existing right of way 6816
line and the westerly existing right of way line of Taylor 6817
Avenue (Width Varies); 6818

Thence South 03°52'26" West, a distance of 144.26 feet 6819
leaving said southerly existing right of way line and along said 6820
westerly existing right of way line to the TRUE POINT OF 6821
BEGINNING and containing 0.299 acres, more or less, of which 6822
0.000 acres are within the present road occupied. 6823

Of the above described tract, 0.149 acres, more or less, 6824
are located within Auditor's Parcel No. 010-009288, and 0.150 6825
acres, more or less, are located within Auditor's Parcel No. 6826
010-034261. 6827

The basis of bearing of South 85°58'02" East on the 6828
southerly existing right of way line of Long Street is 6829
referenced to the State Plane Coordinate System South Zone NAD 6830
83 (NSRS 2011). 6831

This description was prepared by Tony W. Meacham, Ohio 6832

Professional Surveyor No. 7799 from an actual field survey 6833
performed in 2016 by Korda/Nemeth Engineering, Inc. 6834

Iron pins set are 5/8" x 30" rebar topped by an orange cap 6835
stamped "KNE PS NO. 7799." 6836

Tract Three 6837

0.723 ACRE TRACT 6838

Situated in the State of Ohio, County of Franklin, City of 6839
Columbus, being part of Lot 71 and all of Lots 72-75 of the 6840
Eastwood Heights Addition Plat Book 4, Page 109 as conveyed to 6841
The Ohio State University by deed of record in Instrument No. 6842
199904090088853 as recorded in the Franklin County Recorder's 6843
Office and being further described as follows: 6844

Beginning at a mag nail set at the intersection of the 6845
southerly existing right of way line of Long Street (70' Wide) 6846
and the westerly existing right of way line of Taylor Avenue 6847
(Width Varies), said intersection also being the northeasterly 6848
corner of Lot 75 of the Eastwood Heights Addition; 6849

Thence South 03°52'26" West, a distance of 149.59 feet 6850
along said westerly existing right of way line and the easterly 6851
line of Lot 75 to a mag nail set at the intersection of said 6852
westerly existing right of way line and the northerly existing 6853
right of way line of Maplewood Alley (20' Wide); 6854

Thence North 85°58'02" West, a distance of 210.42 feet 6855
leaving said westerly existing right of way line and the 6856
southeasterly corner of Lot 75, in the southerly line of Lots 75 6857
through 71 and along said northerly existing right of way line 6858
to an iron pin set at the southeasterly corner of a parcel of 6859
land conveyed to Daniel E. Laprade by deed of record in 6860
Instrument No. 199903290076857; 6861

Thence North 03°52'26" East, a distance of 149.59 feet 6862
along the easterly line of said Daniel E. Laprade parcel and 6863
through Lot 71 of the Eastwood Heights Addition to a ¾" iron 6864
pipe found at the southerly existing right of way line of Long 6865
Street; 6866

Thence South 85°58'02" East, a distance of 210.42 feet 6867
leaving the easterly line of said Daniel E. Laprade parcel and 6868
in the northerly line of Lots 71 through 75 and along said 6869
southerly existing right of way line to the TRUE POINT OF 6870
BEGINNING and containing 0.723 acres, more or less, of which 6871
0.000 acres are within the present road occupied. 6872

Of the above described tract, 0.109 acres, more or less, 6873
are located within Auditor's Parcel No. 010-008037, 0.153 acres, 6874
more or less, are located within Auditor's Parcel No. 010- 6875
018858, 0.077 acres, more or less, are located within Auditor's 6876
Parcel No. 010-015832, 0.077 acres, more or less, are located 6877
within Auditor's Parcel No. 010-003205, 0.077 acres, more or 6878
less, are located within Auditor's Parcel No. 010-023435 and 6879
0.230 acres, more or less, are located within Auditor's Parcel 6880
No. 010-028592. 6881

The basis of bearing of South 85°58'02" East on the 6882
southerly existing right of way line of Long Street is 6883
referenced to the State Plane Coordinate System South Zone NAD 6884
83 (NSRS 2011). 6885

This description was prepared by Tony W. Meacham, Ohio 6886
Professional Surveyor No. 7799 from an actual field survey 6887
performed in 2016 by Korda/Nemeth Engineering, Inc. 6888

Iron pins set are 5/8" x 30" rebar topped by an orange cap 6889
stamped "KNE PS NO. 7799." 6890

The foregoing legal description may be corrected or 6891
modified by the Department of Administrative Services as 6892
necessary in order to facilitate the recording of the deed. 6893

(B) (1) The conveyance shall include the improvements 6894
situated on the real estate, and is subject to all easements, 6895
covenants, conditions, and restrictions of record; all legal 6896
highways and public rights-of-way; zoning, building, and other 6897
laws, ordinances, restrictions, and regulations; and real estate 6898
taxes and assessments not yet due and payable. The real estate 6899
shall be conveyed in an "as-is, where-is, with all faults" 6900
condition. 6901

(2) The deed for the conveyance of the subject real estate 6902
may contain restrictions, exceptions, reservations, reversionary 6903
interests, and other terms and conditions specified in the real 6904
estate purchase agreement entered into by the parties, and/or 6905
the resolution adopted by the Board of Trustees of The Ohio 6906
State University approving the sale. 6907

(3) Subsequent to the conveyance, any restrictions, 6908
exceptions, reservations, reversionary interests, or other terms 6909
and conditions contained in the deed may be released by the 6910
Board of Trustees of The Ohio State University without the 6911
necessity of further legislation. 6912

(C) Consideration for the conveyance of the real estate 6913
described in division (A) of this section is \$187,000. 6914

(D) Each of the tracts described in division (A) of this 6915
section shall be conveyed in its entirety and may not be 6916
conveyed as a portion of any tract. 6917

(E) All costs associated with the purchase, closing, and 6918
conveyance of the real estate described in division (A) of this 6919

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 6949
Partnership, by deed of record in Official Record 15946B20, all 6950
references being to records in the Recorder's Office, Franklin 6951
County, Ohio and bounded and described as follows: 6952

Beginning at a point in the westerly right-of-way line of 6953
Hamilton Road at the southwesterly corner of a 1.152 acre tract 6954
conveyed to The City of Gahanna, by deed of record in Official 6955
Record 15946B09, said point also being in the southerly line of 6956
said The Vista at Rocky Fork L.P. 22.950 acre tract, the 6957
northerly line of the 57.265 acre tract conveyed to Academy 6958
Development Limited Partnership, by deed of record in Official 6959
Record 15030C06; 6960

thence North 85° 51' 10" West, along said northerly line 6961
of the Academy Development L.P. 57.265 acre tract, a distance of 6962
485.00 feet to a point; 6963

thence North 15° 23' 12" East, a distance of 74.20 feet to 6964
a point; 6965

thence North 67° 00' 00" East, a distance of 215.00 feet 6966
to a point; 6967

thence North 89° 00' 00" East, a distance of 180.00 feet 6968
to a point; 6969

thence South 85° 50' 13" East, a distance of 100.00 feet 6970
to a point in the westerly right-of-way line of Hamilton Road, 6971
the westerly line of the City of Gahanna 1.152 acre tract; 6972

thence South 4° 09' 47" West, along said right-of-way line 6973
of Hamilton Road, being 50 feet westerly, as measured at right 6974
angles and parallel with the centerline of Hamilton Road, a 6975
distance of 187.00 feet to the place of beginning, containing 6976
1.713 acres, more or less. 6977

| | |
|---|------|
| Franklin County Parcel No. 025-009951-00 | 6978 |
| Prior Instrument Reference: 199803200064415 | 6979 |
| PARCEL 2 | 6980 |
| Being situated in the City of Gahanna, Franklin County, | 6981 |
| Ohio and being more particularly described as follows: | 6982 |
| Being Lot 1 of Lion Academy Village as the same is | 6983 |
| numbered and delineated upon the recorded plat thereof, of | 6984 |
| record in Plat Book 75, Page 99, Recorder's Office, Franklin | 6985 |
| County, Ohio. | 6986 |
| Franklin County Parcel No. 025-009952-00 | 6987 |
| Prior Instrument Reference: 199803200064417 | 6988 |
| The foregoing legal description may be corrected or | 6989 |
| modified by the Department of Administrative Services as | 6990 |
| necessary in order to facilitate the recording of the deed. | 6991 |
| (B) (1) The conveyance shall include the improvements and | 6992 |
| chattels situated on the real estate, and is subject to all | 6993 |
| easements, covenants, conditions, and restrictions of record; | 6994 |
| all legal highways and public rights-of-way; zoning, building, | 6995 |
| and other laws, ordinances, restrictions, and regulations; and | 6996 |
| real estate taxes and assessments not yet due and payable. The | 6997 |
| real estate shall be conveyed in an "as-is, where-is, with all | 6998 |
| faults" condition. | 6999 |
| (2) The deed or deeds for the conveyance of the real | 7000 |
| estate may contain restrictions, exceptions, reservations, | 7001 |
| reversionary interests, or other terms and conditions specified | 7002 |
| in the real estate purchase agreement and/or the resolution | 7003 |
| adopted by the Board of Trustees of The Ohio State University. | 7004 |

(3) Subsequent to the conveyance, any restrictions, 7005
exceptions, reservations, reversionary interests, or other terms 7006
and conditions contained in the deed may be released by the 7007
state or the Board of Trustees of The Ohio State University 7008
without the necessity of further legislation. 7009

(C) Consideration for the conveyance of the real estate 7010
described in division (A) of this section is \$1,100,000, and 7011
such conveyance shall be pursuant to a real estate purchase 7012
agreement containing any terms and conditions acceptable to the 7013
Board of Trustees of The Ohio State University. 7014

If GZD Investments LLC does not complete the purchase of 7015
the real estate within the time period provided in the real 7016
estate purchase agreement, The Ohio State University may use any 7017
reasonable method of sale considered acceptable to the Board of 7018
Trustees of The Ohio State University to select an alternate 7019
grantee or grantees to complete the purchase not later than 7020
three years after the effective date of this act. All 7021
advertising costs, additional fees, and other costs incidental 7022
to the sale of the real estate to an alternate grantee or 7023
grantees, shall be negotiated by The Ohio State University as 7024
specified in a real estate purchase agreement with the alternate 7025
grantee or grantees. 7026

(D) The real estate described in division (A) of this 7027
section may be conveyed as an entire tract or as multiple 7028
parcels. 7029

(E) All costs associated with the purchase, the closing, 7030
and the conveyance of the real property shall be paid by the 7031
grantee and The Ohio State University in the manner stated in 7032
the real estate purchase agreement. 7033

The net proceeds of the sale shall be deposited into 7034
university accounts for purposes to be determined by the Board 7035
of Trustees of The Ohio State University. 7036

(F) Upon adoption of a resolution by the Board of Trustees 7037
of The Ohio State University, the Auditor of State, with the 7038
assistance of the Attorney General, shall prepare a deed to the 7039
real estate described in division (A) of this section. The deed 7040
shall state the consideration and shall be executed by the 7041
Governor in the name of the state, countersigned by the 7042
Secretary of State, sealed with the Great Seal of the State, 7043
presented in the Office of the Auditor of State for recording, 7044
and delivered to the grantee. The grantee shall present the deed 7045
for recording in the Office of the Franklin County Recorder. 7046

(G) This section expires three years after its effective 7047
date. 7048

Section 17. (A) The Governor may execute a deed in the 7049
name of the state conveying to Lennox Station Holdings LLC, an 7050
Ohio limited liability company, and to its successors and 7051
assigns, all of the state's right, title, and interest in the 7052
following described real estate: 7053

The East Half of the 7054

Alley west of Olentangy River Road and north of King 7055
Avenue 7056

(0.055 Acre) 7057

Situated in the State of Ohio, County of Franklin, 7058
Township of Clinton, and being the easterly half of a 20 foot 7059
wide alley of Joseph Berger's Subdivision, as the same is shown 7060
and delineated upon the recorded plat thereof, of record in Plat 7061
Book 4, Page 221, Recorder's Office, Franklin County, Ohio, as 7062

vacated by the Franklin County Commissioners by Resolution No. 7063
787-00 and on file in Road Record 28, Page 82 in the Offices of 7064
the Franklin County Engineer, said alley being more particularly 7065
described as follows: 7066

Being a 20 foot wide alley bounded on the south by the 7067
northerly right-of-way line of a 10 foot wide alley of said 7068
subdivision, bounded on the west by the easterly lines of Lots 7069
No. 2 through No. 7 of said subdivision, bounded on the north by 7070
the northerly boundary line of said subdivision, and bounded on 7071
the east by the westerly line of Lot No.1 of said subdivision, 7072
containing 0.110 acres, more or less. 7073

Said easterly half of the alley contains 0.055 acres, more 7074
or less. 7075

The foregoing legal description may be corrected or 7076
modified by the Department of Administrative Services as 7077
necessary in order to facilitate the recording of the deed. 7078

(B) (1) The conveyance includes improvements situated on 7079
the real estate, and is subject to all easements, covenants, 7080
conditions, and restrictions of record; all legal highways and 7081
public rights-of-way; zoning, building, and other laws, 7082
ordinances, restrictions, and regulations; and real estate taxes 7083
and assessments not yet due and payable. The real estate shall 7084
be conveyed in an "as-is, where-is, with all faults" condition. 7085

(2) The deed for the conveyance of the real estate may 7086
contain restrictions, exceptions, reservations, reversionary 7087
interests, and other terms and conditions specified in the real 7088
estate purchase agreement entered into by the parties, and/or 7089
the resolution adopted by the Board of Trustees of The Ohio 7090
State University approving the sale. 7091

(3) Subsequent to the conveyance, any restrictions, 7092
exceptions, reservations, reversionary interests, or other terms 7093
and conditions contained in the deed may be released by the 7094
state or The Ohio State University without the necessity of 7095
further legislation. 7096

(C) Consideration for the conveyance of the real estate 7097
described in division (A) of this section is \$95,000. 7098

The Ohio State University shall offer the real estate to 7099
the Lennox Station Holdings LLC through a real estate purchase 7100
agreement. If Lennox Station Holdings LLC does not complete the 7101
purchase of the real estate within the time period provided in 7102
the real estate purchase agreement, the Director of 7103
Administrative Services may use any reasonable method of sale 7104
considered acceptable by The Ohio State University to determine 7105
an alternate grantee willing to complete the purchase not later 7106
than three years after the effective date of this section. The 7107
Ohio State University shall pay all advertising costs, 7108
additional fees, and other costs incident to the subsequent sale 7109
of the real estate. 7110

(D) The real estate described in division (A) of this 7111
section shall be sold as an entire tract and not in parcels. 7112

(E) All costs associated with the purchase, the closing, 7113
and the conveyance of the real estate described in division (A) 7114
of this section shall be paid by the grantee and The Ohio State 7115
University, in the manner stated in the real estate purchase 7116
agreement. 7117

The net proceeds of the sale shall be deposited into 7118
university accounts and used by the Board of Trustees of The 7119
Ohio State University for debt retirement only. 7120

(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 | 7150 |
| feet along the east line of said quarter to an iron pin set; | 7151 |
| 2. South 88 degrees 47 minutes 12 seconds west, 925.90 | 7152 |
| feet to an iron pin found in the southeast corner of a parcel | 7153 |
| conveyed to 55 Lex-Springmill Inv. Ltd. by Official Record | 7154 |
| Volume 1107, Page 878; | 7155 |
| 3. North 00 degrees 19 minutes 03 seconds east, 520.08 | 7156 |
| feet along the east line of said 55 Lex-Springmill Inv. Ltd. | 7157 |
| Parcel to an iron pin set on the north line of said southwest | 7158 |
| quarter; | 7159 |
| 4. North 88 degrees 47 minutes 12 seconds east, 925.75 | 7160 |
| feet along said north line of said quarter to the Place of | 7161 |
| Beginning and containing 11.050 acres, more or less, and subject | 7162 |
| to all legal highways, easements, leases, reservations, and use | 7163 |
| restrictions of record. | 7164 |
| According to survey by K.E. McCartney & Associates, Inc. | 7165 |
| made August, 2016. | 7166 |
| Richland County Parcel No. 039-91-500-02-000 | 7167 |
| Parcel 2 | 7168 |
| Situated in the Township of Springfield, City of Ontario, | 7169 |
| County of Richland, State of Ohio and being part of the | 7170 |
| southwest quarter of Section 12, Township 21 North, Range 19 | 7171 |
| West, and being a portion of the property conveyed to State of | 7172 |
| Ohio (The Ohio State University) by Deed Volume 562, Page 211 of | 7173 |
| the Richland County Recorder's records, and being more | 7174 |
| particularly described as follows: | 7175 |
| Commencing at an iron pin set in the northeast corner of | 7176 |
| said southwest quarter; thence, South 00 degrees 18 minutes 06 | 7177 |

seconds West, 520.08 feet along the east line of said quarter to 7178
an iron pin set, the Place of Beginning of the parcel herein 7179
described: 7180

Thence, the following FOUR courses: 7181

1. South 00 degrees 18 minutes 06 seconds West, 887.04 7182
feet along the east line of said quarter to an iron pin set on 7183
the former centerline of Walker Lake Road-(C.H. 164); 7184

2. South 89 degrees 14 minutes 50 seconds West, 925.97 7185
feet along the centerline of Walker Lake Road to a point in the 7186
southeast corner of a parcel conveyed to Charles L. Gilbert, 7187
Trustee U/A/W Charles L. Gilbert Living Revocable Trust dated 7188
6/7/10 by Official Record Volume 2033, Page 476 and Marilyn A. 7189
Gilbert, Trustee U/A/W/ Marilyn A. Gilbert Living Revocable 7190
Trust dated 6/7/10 by Official Record Volume 2033, Page 472; 7191

3. North 00 degrees 19 minutes 03 seconds East, 879.61 7192
feet along the east line of said Gilbert Trust parcel to an iron 7193
pin found in the northeast corner thereof, and passing through 7194
an iron pin found for reference at 42.75 feet; 7195

4. North 88 degrees 47 minutes 12 seconds East, 925.90 7196
feet to the Place of Beginning and containing 18.772 acres, more 7197
or less, and subject to all legal highways, easements, leases, 7198
reservations, and use restrictions of record. 7199

According to survey by K.E. McCartney & Associates, Inc. 7200
made August, 2016. 7201

Richland County Parcel No. 038-60-500-61-000 7202

The foregoing legal description may be corrected or 7203
modified by the Department of Administrative Services as 7204
necessary in order to facilitate the recording of the deed. 7205

(B) (1) The conveyance includes the improvements and 7206
chattels situated on the real estate, and is subject to all 7207
easements, covenants, conditions, and restrictions of record; 7208
all legal highways and public rights-of-way; zoning, building, 7209
and other laws, ordinances, restrictions, and regulations; and 7210
real estate taxes and assessments not yet due and payable. The 7211
real estate shall be conveyed in an "as-is, where-is, with all 7212
faults" condition. 7213

(2) The deed or deeds may contain restrictions, 7214
exceptions, reservations, reversionary interests, or other terms 7215
and conditions specified in the real estate purchase agreement 7216
and/or the resolution adopted by the Board of Trustees of The 7217
Ohio State University. 7218

(3) Subsequent to the conveyance, any restrictions, 7219
exceptions, reservations, reversionary interests, or other terms 7220
and conditions contained in the deed or deeds may be released by 7221
the state or the Board of Trustees of The Ohio State University 7222
without the necessity of further legislation. 7223

(C) Consideration for the conveyance of the real estate 7224
described in division (A) of this section is \$417,508, and such 7225
conveyance shall be pursuant to a real estate purchase agreement 7226
containing any terms and conditions acceptable to the Board of 7227
Trustees of The Ohio State University. 7228

If Carnegie Management and Development Corporation does 7229
not complete the purchase of the real estate within the time 7230
period provided in the real estate purchase agreement, The Ohio 7231
State University may use any reasonable method of sale 7232
considered acceptable to the Board of Trustees of The Ohio State 7233
University to select an alternate grantee or grantees to 7234
complete the purchase not later than three years after the 7235

effective date of this section. All advertising costs, 7236
additional fees, and other costs incidental to the sale of the 7237
real estate to an alternate grantee or grantees shall be 7238
negotiated by The Ohio State University and specified in a real 7239
estate purchase agreement with the alternate grantee or 7240
grantees. 7241

(D) The real estate described in division (A) of this 7242
section may be conveyed as an entire tract or as multiple 7243
parcels. 7244

(E) All costs associated with the purchase, closing, and 7245
conveyance of the real estate shall be paid by the grantee or 7246
grantees and The Ohio State University in the manner stated in 7247
the real estate purchase agreement. 7248

The net proceeds of the sale shall be deposited into 7249
university accounts for purposes to be determined by the Board 7250
of Trustees of The Ohio State University. 7251

(F) Upon adoption of a resolution by the Board of Trustees 7252
of The Ohio State University, the Auditor of State, with the 7253
assistance of the Attorney General, shall prepare a deed or 7254
deeds to the real estate described in division (A) of this 7255
section. The deed or deeds shall state the consideration and 7256
shall be executed by the Governor in the name of the state, 7257
countersigned by the Secretary of State, sealed with the Great 7258
Seal of the State, presented in the Office of the Auditor of 7259
State for recording, and delivered to the grantee or grantees. 7260
The grantee or grantees shall present the deed or deeds for 7261
recording in the Office of the Richland County Recorder. 7262

(G) This section expires three years after its effective 7263
date. 7264

Section 19. (A) Notwithstanding division (A)(5) of section 7265
123.01 of the Revised Code, the Director of Administrative 7266
Services may execute a perpetual easement in the name of the 7267
state granting to the City of Columbus, Ohio, and to its 7268
successors and assigns, a perpetual easement for sanitary sewer 7269
purposes burdening the following described real estate: 7270

Situated in the State of Ohio, County of Franklin, City of 7271
Columbus, lying in Quarter Township 3, Township 1, Range 18, 7272
United States Military Lands, being on, over, and across that 7273
193 acre and 62 pole tract conveyed to State of Ohio (Ohio State 7274
University) by deed of record in Deed Book 103, Page 547 and 7275
that 32.093 acre tract of land conveyed to State of Ohio (Ohio 7276
State University) by deed of record Deed Book 602, Page 561, 7277
respectively, (all references are to the records of the 7278
Recorder's Office, Franklin County, Ohio) and being more 7279
particularly described as follows: 7280

Beginning, for reference, at a 3/4" solid iron pin in a 7281
monument box found in the centerline of right-of-way of King 7282
Avenue, located at King Avenue centerline station 20+00.00 as 7283
shown on Cannon Drive Centerline Plat of record in Plat Book __, 7284
Page _____; 7285

thence North 86° 57' 16" West, with said centerline, a 7286
distance of 6.78 feet, to the centerline intersection of King 7287
Avenue with Street A (a private right-of-way) as shown on said 7288
Cannon Drive Centerline Plat, located at King Avenue centerline 7289
station 19+93.22 and Street A centerline station 10+00.00 as 7290
shown on said Cannon Drive Centerline Plat; 7291

thence North 03° 10' 49" East, with the centerline of 7292
Street A, a distance of 30.00 feet, to the northerly right-of- 7293
way line of King Avenue; 7294

thence North 86° 57' 16" West, with said northerly right- 7295
of-way line, a distance of 31.87 feet, to the True Point of 7296
Beginning; 7297

thence North 86° 57' 16" West, continuing with said 7298
northerly right-of-way line, a distance of 75.43 feet, to a 7299
point; 7300

thence crossing said State of Ohio (Ohio State University) 7301
tracts, the following courses and distances; 7302

North 65° 48' 57" West, a distance of 113.10 feet to a 7303
point; 7304

North 87° 09' 14" West, a distance of 191.16 feet to a 7305
point; 7306

North 01° 10' 50" West, a distance of 360.52 feet to a 7307
point; 7308

North 02° 58' 17" East, a distance of 197.58 feet to a 7309
point; 7310

North 03° 14' 49" East, a distance of 258.02 feet to a 7311
point; 7312

North 03° 06' 18" East, a distance of 334.05 feet to a 7313
point; 7314

North 03° 36' 49" East, a distance of 282.00 feet to a 7315
point; 7316

North 03° 07' 04" East, a distance of 308.57 feet to a 7317
point; 7318

North 68° 33' 20" East, a distance of 108.14 feet to a 7319
point; 7320

North 17° 58' 13" West, a distance of 77.82 feet to a 7321

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| point; | 7322 |
| North 19° 07' 27" West, a distance of 229.82 feet to a | 7323 |
| point; | 7324 |
| North 18° 52' 44" West, a distance of 230.37 feet to a | 7325 |
| point; | 7326 |
| North 51° 13' 14" East, a distance of 61.96 feet to a | 7327 |
| point; | 7328 |
| South 88° 00' 53" East, a distance of 320.39 feet to a | 7329 |
| point; | 7330 |
| South 85° 15' 52" East, a distance of 133.54 feet to a | 7331 |
| point; | 7332 |
| North 85° 26' 41" East, a distance of 176.73 feet to a | 7333 |
| point; | 7334 |
| North 48° 13' 13" East, a distance of 63.47 feet to a | 7335 |
| point; | 7336 |
| South 41° 46' 47" East, a distance of 30.00 feet to a | 7337 |
| point; | 7338 |
| South 48° 13' 13" West, a distance of 73.57 feet to a | 7339 |
| point; | 7340 |
| South 85° 26' 41" West, a distance of 189.27 feet to a | 7341 |
| point; | 7342 |
| North 85° 15' 52" West, a distance of 135.26 feet to a | 7343 |
| point; | 7344 |
| North 88° 00' 53" West, a distance of 308.52 feet to a | 7345 |
| point; | 7346 |
| South 51° 13' 14" West, a distance of 29.77 feet to a | 7347 |

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| point; | 7348 |
| South 18° 52' 44" East, a distance of 209.26 feet to a | 7349 |
| point; | 7350 |
| South 19° 07' 27" East, a distance of 230.06 feet to a | 7351 |
| point; | 7352 |
| South 17° 58' 13" East, a distance of 106.35 feet to a | 7353 |
| point; | 7354 |
| South 68° 33' 20" West, a distance of 117.10 feet to a | 7355 |
| point; | 7356 |
| South 03° 07' 04" West, a distance of 289.43 feet to a | 7357 |
| point; | 7358 |
| South 03° 36' 49" West, a distance of 282.00 feet to a | 7359 |
| point; | 7360 |
| South 03° 06' 18" West, a distance of 333.95 feet to a | 7361 |
| point; | 7362 |
| South 03° 14' 49" West, a distance of 257.98 feet to a | 7363 |
| point; | 7364 |
| South 02° 58' 17" West, a distance of 196.42 feet to a | 7365 |
| point; | 7366 |
| South 01° 10' 50" East, a distance of 331.48 feet to a | 7367 |
| point; | 7368 |
| South 87° 09' 14" East, a distance of 168.84 feet to a | 7369 |
| point; | 7370 |
| South 65° 48' 57" East, a distance of 123.09 feet to a | 7371 |
| point; | 7372 |
| South 78° 59' 39" East, a distance of 61.14 feet to a | 7373 |

point; 7374

South 03° 02' 44" West, a distance of 17.95 feet to the 7375
True Point of Beginning, containing 2.387 acres, more or less. 7376

The bearings shown on these plans were transferred from a 7377
field traverse originating from and tying to Franklin County 7378
Survey Control Monuments, including MORLAN and TACKETT, and is 7379
based on the Ohio State Plane Coordinate System, South Zone as 7380
per NAD 83. The portion of the centerline of King Avenue, having 7381
a bearing of South 86° 57' 16" East, is designated the "basis of 7382
bearing" for this plat. 7383

Iron pins set, where indicated, are iron pipes, thirteen 7384
sixteenths (13/16) inch inside diameter, thirty (30) inches long 7385
with a plastic plug placed in the top bearing the initials EMHT 7386
INC. 7387

This description is based on an actual field survey 7388
performed by or under the direct supervision of John C. Dodgion, 7389
Registered Surveyor Number 8069 in March 2016. 7390

The foregoing legal description may be corrected or 7391
modified by the Department of Administrative Services as 7392
necessary in order to facilitate the recording of the perpetual 7393
easement. 7394

(B) The perpetual easement shall state the obligations of, 7395
and the duties to be observed and performed by, the City of 7396
Columbus, Ohio, with regard to the perpetual easement, and shall 7397
require the City of Columbus, Ohio, to assume perpetual 7398
responsibility for constructing, operating, maintaining, 7399
repairing, reconstructing, and replacing the sanitary sewer 7400
pipeline that will be located on the real estate. 7401

(C) Consideration for granting the perpetual easement is 7402

§1. 7403

(D) The Director of Administrative Services, with the 7404
assistance of the Attorney General, shall prepare the perpetual 7405
easement document. The perpetual easement shall state the 7406
consideration and the terms and conditions for the granting of 7407
the perpetual easement. The perpetual easement shall be executed 7408
by the Director of Administrative Services in the name of the 7409
state, presented in the Office of the Auditor of State for 7410
recording, and delivered to the City of Columbus, Ohio. The City 7411
of Columbus, Ohio, shall present the perpetual easement for 7412
recording in the Office of the Franklin County Recorder. The 7413
City of Columbus, Ohio, shall pay the recording costs and fees. 7414

(E) This section expires three years after its effective 7415
date. 7416

Section 20. (A) The Governor may execute a deed in the 7417
name of the state conveying to a selected Grantee or Grantees, 7418
their heirs, successors, and assigns, to be determined in the 7419
manner provided in division (C) of this section, all of the 7420
state's right, title, and interest in the following described 7421
real estate: 7422

Situated in City of Athens, Athens Township, Athens 7423
County, State of Ohio 7424

Being a 0.561 acre parcel of land located in Farm Lot 45, 7425
Section 10, Township 09 North, Range 14 West, Ohio Company 7426
Purchase, City of Athens, Athens Township, Athens County, State 7427
of Ohio and being inclusive of a residual 0.55 acre parcel as 7428
conveyed to Dwight H. Mutchler by a deed recorded in Volume 90 7429
Page 139 of said county Deed Records and being more fully 7430
bounded and described as follows: 7431

Beginning at an iron pin set in the easterly line of 7432
Columbia Avenue, a variable width right of way, and the 7433
southwesterly corner of aforesaid 0.561 acre parcel, from which 7434
for reference, the southwesterly corner of Farm Lot No. 45 bears 7435
the following three courses; S 30° 28' 35" W, 79.47 feet to a 7436
point; thence S 05° 27' 35" W, 189.50 feet to an iron pin found 7437
(5/8" rebar); thence N 84° 32' 25" W, 347.00 feet to a point 7438
being the southwesterly corner of said Farm Lot 45; 7439

Course No. 1: Thence, N 30° 28' 35" E, being the basis of 7440
bearings of this description, with the westerly line of 7441
aforesaid 0.561 acre parcel and easterly line of said Columbia 7442
Avenue, 95.74 feet to an iron pin found (5/8" rebar), being the 7443
southwesterly corner of a 0.55 acre parcel as conveyed to Terry 7444
Conry and Joy Lynn John as recorded in Volume 41 Page 799 of 7445
said county Deed Records; 7446

Course No. 2: Thence, S 50° 17' 25" E, with the southerly 7447
line of aforesaid 0.55 acre parcel, passing an iron pin found 7448
(5/8" rebar), at 176.60 feet for reference, a total distance of 7449
276.60 feet to an iron pin found (5/8" rebar), being the 7450
southerly corner of a 0.49 acre parcel as conveyed to Peter 7451
Kramer & Barbara Fisher as recorded in Official Records Book 379 7452
Page 359 of said county Deed Records; 7453

Course No. 3: Thence, S 03° 34' 35" W, along the westerly 7454
line of a 1.140 acre parcel as conveyed to Emily Gurhans & Marc 7455
Singer as recorded in Official Record Book 409 Page 1982 of said 7456
county Deed Records, 85.19 feet to an iron pin set, being the 7457
northeasterly corner of a 1.39 acre parcel as conveyed to 7458
Michael & Helen Keyes as recorded in Official Record Book 284 7459
Page 1568 of said county Deed Records; 7460

Course No. 4: Thence, N 55° 00' 25" W, with the northerly 7461

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. 7491

(C) The Director of Administrative Services shall conduct 7492
a sale of the real estate by sealed bid auction or public 7493
auction, and the real estate shall be sold to the highest bidder 7494
at a price acceptable to the Director of Administrative Services 7495
and Ohio University. The Director of Administrative Services 7496
shall advertise the sealed bid auction or public auction by 7497
publication in a newspaper of general circulation in Athens 7498
County, once a week for three consecutive weeks before the date 7499
on which the sealed bids are to be opened or the public auction 7500
occurs. The Director of Administrative Services may reject any 7501
or all bids. The Director of Administrative Services shall 7502
notify the successful bidder in writing. 7503

The purchaser shall pay ten percent of the purchase price 7504
to the Director of Administrative Services not later than five 7505
business days after receiving the notice the bid has been 7506
accepted and shall enter into a real estate purchase agreement, 7507
in the form prescribed by the Department of Administrative 7508
Services. Payment may be made in cash or certified check made 7509
payable to the Treasurer of State. The purchaser shall pay the 7510
balance of the purchase price to the Director at closing. A 7511
purchaser who does not complete the conditions of the sale as 7512
prescribed in this division shall forfeit the ten percent of the 7513
purchase price paid to the state as liquidated damages. If a 7514
purchaser fails to complete the purchase, the Director of 7515
Administrative Services may accept the next highest bid, subject 7516
to the foregoing conditions. If the Director of Administrative 7517
Services rejects all bids, the Director of Administrative 7518
Services may repeat the sealed bid auction or public auction, or 7519
may use an alternative sale process that is acceptable to Ohio 7520
University. Any subsequent costs attributed to the marketing of 7521

a secondary sale process shall be the responsibility of Ohio University. 7522
7523

(D) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels. 7524
7525

(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. 7526
7527
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7531

The net proceeds of the sale of the real estate shall be paid to Ohio University and deposited into the Ohio University Endowment Fund. 7532
7533
7534

(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. 7535
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(G) This section expires three years after its effective date. 7545
7546

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 7547
7548
7549
7550

as set forth below in division (C) of this section, all of the 7551
state's right, title, and interest in the following described 7552
real estate: 7553

Situated in Section 14, Town 3, Fractional Range 2, BTM, 7554
City of Cincinnati, Hamilton County, Ohio and being part of an 7555
18.008 acre tract of land as depicted on P.B. 453, Pg. 78 and 7556
recorded in O.R. 13231, Pg. 206 of the Hamilton County, Ohio 7557
Recorder's Office, the boundary of which being more particularly 7558
described as follows: 7559

Beginning at a magnail found at the southeast corner of 7560
Lot 167 of Mt. Auburn and Avondale Syndicate Subdivision as 7561
recorded in P.B. 8, Volume 1, Page 44; 7562

Thence along the east line of said Lot 167, N06°11'54"E a 7563
distance of 150.26 feet to a cross notch found in the south 7564
right of way line of Erkenbrecher Avenue; 7565

Thence along said south right of way line, S84°17'10"E a 7566
distance of 50.00 feet to a pipe found at the northwest corner 7567
of Lot 165 of the aforementioned Mt. Auburn and Avondale 7568
Syndicate Subdivision; 7569

Thence along the west line of said Lot 165, S06°11'54"W a 7570
distance of 150.22 feet to the southwest corner of said Lot 165, 7571
witness a pipe found lying 0.7 feet north; 7572

Thence along the south line of said subdivision, 7573
S84°19'38"E a distance of 190.82 feet to a 5/8" iron pin found 7574
at the northwest corner of a 6.259 acre (deed) tract of land 7575
conveyed to Children's Hospital Medical Center in D.B. 3922, Pg. 7576
86; 7577

Thence along the east line of said 6.259 acre (deed) tract 7578
of land, S06°11'02"W a distance of 290.59 feet to a 5/8" iron 7579

pin set; 7580

Thence along new division lines the following three (3) 7581
courses: 7582

1. N82°32'20"W a distance of 154.29 feet to a magnail set; 7583

2. N33°29'17"W a distance of 160.84 feet to a magnail set; 7584

3. N84°21'04"W a distance of 113.14 feet to a magnail set 7585
in the east terminus of Louis Avenue; 7586

Thence in part along said east terminus and along the east 7587
line of Lot 7 of the Subdivision of Andrew McMillan's 80 Acre 7588
Tract as recorded in P.B. 14, Pg. 29, N06°05'45"E a distance of 7589
161.10 feet to a pipe found in the south line of the 7590
aforementioned Mt. Auburn and Avondale Syndicate Subdivision; 7591

Thence along said south line, S84°19'38"E a distance of 7592
129.52 feet to the Point of Beginning. 7593

Containing 2.138 acres of land more or less and being 7594
subject to easements, restrictions and rights of way of record. 7595

Bearings are based on the Ohio State Plane Coordinates- 7596
South Zone as shown on a topographic survey performed by Clifton 7597
Engineering- "UC Kettering North Wing" dated June 1, 2010 with a 7598
project # of 10002. 7599

The above description is based on a field survey performed 7600
by The Kleingers Group under the direct supervision of Matthew 7601
D. Habedank, Ohio Professional Surveyor No. 8611. 7602

The foregoing legal description may be corrected or 7603
modified by the Department of Administrative Services as 7604
necessary in order to facilitate the recording of the deed. 7605

(B) (1) The conveyance includes the improvements and 7606

chattels situated on the real estate, and is subject to all 7607
easements, covenants, conditions, and restrictions of record; 7608
all legal highways and public rights-of-way; zoning, building, 7609
and other laws, ordinances, restrictions, and regulations; and 7610
real estate taxes and assessments not yet due and payable. The 7611
real estate shall be conveyed in an "as-is, where-is, with all 7612
faults" condition. 7613

(2) The deed or deeds may contain restrictions, 7614
exceptions, reservations, reversionary interests, or other terms 7615
and conditions the Director of Administrative Services and the 7616
Board of Trustees of the University of Cincinnati determine to 7617
be in the best interest of the state. 7618

(3) Subsequent to the conveyance, any restrictions, 7619
exceptions, reservations, reversionary interests, or other terms 7620
and conditions contained in the deed may be released by the 7621
state or the Board of Trustees of the University of Cincinnati 7622
without the necessity of further legislation. 7623

(C) Consideration for the conveyance of the real estate 7624
described in division (A) of this section is \$1,900,000. 7625

If Children's Hospital Medical Center does not complete 7626
the purchase of the real estate within the time period provided 7627
in the real estate purchase agreement, the Director of 7628
Administrative Services and the Board of Trustees of the 7629
University of Cincinnati may use any reasonable method of sale 7630
considered acceptable by the Board of Trustees of the University 7631
of Cincinnati to select an alternate grantee or grantees to 7632
complete the purchase not later than three years after the 7633
effective date of this section. All advertising costs, 7634
additional fees, and other costs incidental to the sale of the 7635
real estate to an alternate grantee or grantees, shall be 7636

negotiated by the University of Cincinnati as specified in a 7637
real estate purchase agreement with the alternate grantee or 7638
grantees. 7639

(D) The real estate described in division (A) of this 7640
section shall be sold as an entire tract and not in parcels. 7641

(E) The grantee shall pay all costs associated with the 7642
purchase, closing, and conveyance, including surveys, title 7643
evidence, title insurance, transfer costs and fees, recording 7644
costs and fees, taxes, and any other fees, assessments, and 7645
costs that may be imposed. 7646

The net proceeds of the sale shall be deposited into 7647
university accounts for purposes to be determined by the Board 7648
of Trustees of the University of Cincinnati. 7649

(F) Upon payment of the purchase price, the Auditor of 7650
State, with the assistance of the Attorney General, shall 7651
prepare a deed to the real estate described in division (A) of 7652
this section. The deed shall state the consideration and shall 7653
be executed by the Governor in the name of the state, 7654
countersigned by the Secretary of State, sealed with the Great 7655
Seal of the State, presented in the Office of the Auditor of 7656
State for recording, and delivered to the Grantee. The grantee 7657
shall present the deed for recording in the Office of the 7658
Hamilton County Recorder. 7659

(G) This section expires three years after its effective 7660
date. 7661

Section 22. (A) The Governor may execute a deed in the 7662
name of the state conveying to UC Health, LLC, an Ohio nonprofit 7663
corporation ("Grantee"), and to its successors and assigns, or 7664
to an alternate grantee or grantees as set forth below in 7665

division (C) of this section, all of the state's right, title, 7666
and interest in the following described real estate: 7667

Situated in Section 14, Town 3, Fractional Range 2, BTM, 7668
City of Cincinnati, Hamilton County, Ohio, being all of the land 7669
depicted on P.B. 453, Pg. 77 and recorded in O.R. 13231, Pg. 205 7670
of the Hamilton County, Ohio Recorder's Office, the boundary of 7671
which being more particularly as follows: 7672

Beginning at a cross notch set at the intersection of the 7673
east right of way line of Bellevue Avenue with the south right 7674
of way line of Piedmont Avenue; 7675

Thence along said south right of way line, S83°59'01"E a 7676
distance of 348.94 feet to the intersection of said south right 7677
of way line with the west right of way line of Highland Avenue, 7678
said point being witnessed by a cross notch lying North 7.0 feet 7679
and West 0.1 feet and a cross notch lying North 0.1 feet and 7680
West 7.1 feet; 7681

Thence along said west right of way line S05°54'55"W a 7682
distance of 175.36 feet to a cross notch set at the intersection 7683
of said west right of way line with the north right of way line 7684
of Martin Luther King Jr. Drive; 7685

Thence along said north right of way line, N83°58'40"W a 7686
distance of 349.68 feet to a cross notch set at the intersection 7687
of said north right of way line with the aforementioned east 7688
right of way line of Bellevue Avenue; 7689

Thence along said east right of way line, N06°09'20"E a 7690
distance of 175.32 feet to the point of beginning. 7691

Containing 1.406 acres, more or less and being subject to 7692
easements, restrictions and rights of way of record. 7693

Bearings are based on Ohio State Plane Coordinates-South 7694
Zone. 7695

The above description is based on a field survey performed 7696
by the Kleingers Group under the direct supervision of Matthew 7697
D. Habedank, Ohio Professional Surveyor No. 8611. 7698

The foregoing legal description may be corrected or 7699
modified by the Department of Administrative Services as 7700
necessary in order to facilitate the recording of the deed. 7701

(B) (1) The conveyance includes the improvements and 7702
chattels situated on the real estate, and is subject to all 7703
easements, covenants, conditions, and restrictions of record; 7704
all legal highways and public rights-of-way; zoning, building, 7705
and other laws, ordinances, restrictions, and regulations; and 7706
real estate taxes and assessments not yet due and payable. The 7707
real estate shall be conveyed in an "as-is, where-is, with all 7708
faults" condition. 7709

(2) The deed or deeds may contain restrictions, 7710
exceptions, reservations, reversionary interests, or other terms 7711
and conditions the Director of Administrative Services and the 7712
Board of Trustees of the University of Cincinnati determine to 7713
be in the best interest of the state. 7714

(3) Subsequent to the conveyance, any restrictions, 7715
exceptions, reservations, reversionary interests, or other terms 7716
and conditions contained in the deed may be released by the 7717
state or the Board of Trustees of the University of Cincinnati 7718
without the necessity of further legislation. 7719

(C) Consideration for the conveyance of the real estate is 7720
\$1,800,000. 7721

If UC Health, LLC does not complete the purchase of the 7722

real estate within the time period provided in the real estate 7723
purchase agreement, the Director of Administrative Services and 7724
the Board of Trustees of the University of Cincinnati may use 7725
any reasonable method of sale considered acceptable by the Board 7726
of Trustees of the University of Cincinnati to select an 7727
alternate grantee or grantees to complete the purchase not later 7728
than three years after the effective date of this section. All 7729
advertising costs, additional fees, and other costs incidental 7730
to the sale of the real estate to an alternate grantee or 7731
grantees shall be negotiated by the University of Cincinnati as 7732
specified in a real estate purchase agreement with the alternate 7733
grantee or grantees. 7734

(D) The real estate shall be sold as an entire tract and 7735
not in parcels. 7736

(E) Except as otherwise specified in this section, the 7737
grantee shall pay all costs associated with the purchase, 7738
closing, and conveyance, including surveys, title evidence, 7739
title insurance, transfer costs and fees, recording costs and 7740
fees, taxes, and any other fees, assessments, and costs that may 7741
be imposed. 7742

The net proceeds of the sale shall be deposited into 7743
university accounts for purposes to be determined by the Board 7744
of Trustees of the University of Cincinnati. 7745

(F) Upon payment of the purchase price, the Auditor of 7746
State, with the assistance of the Attorney General, shall 7747
prepare a deed to the real estate. The deed shall state the 7748
consideration and shall be executed by the Governor in the name 7749
of the state, countersigned by the Secretary of State, sealed 7750
with the Great Seal of the State, presented in the Office of the 7751
Auditor of State for recording, and delivered to the grantee. 7752

The grantee shall present the deed for recording in the Office 7753
of the Hamilton County Recorder. 7754

(G) This section expires three years after its effective 7755
date. 7756

Section 23. (A) The Governor may execute a deed in the 7757
name of the state conveying to Charles H. Staples and Margaret 7758
A. Staples, husband and wife, and to their heirs and assigns, 7759
all of the state's right, title, and interest in the following 7760
described real estate: 7761

Parcel No. 1 7762

Situated in the City of Youngstown, County of Mahoning and 7763
State of Ohio and known as being the west Twenty-Five (25) feet 7764
of City Lot Six Hundred Fifty-Five (655) as lots are now 7765
numbered in said City, as shown by a Plat recorded in Volume 1 7766
of Plats, Page 91, Mahoning County Records. 7767

Said west part of said lot Six Hundred Fifty-Five (655) 7768
has a frontage of Twenty-Five (25) feet on the north line of 7769
West Rayen Avenue and extends back of even width, One Hundred 7770
Fifty (150) feet and is Twenty-Five (25) feet wide in the rear. 7771

Permanent Parcel No.: 53-003-0-090.00 7772

Parcel No. 2 7773

Situated in the City of Youngstown, County of Mahoning and 7774
State of Ohio and known as Youngstown City Lot Number One 7775
Thousand Four Hundred Ninety-Three (1493) according to the 7776
latest enumeration of lots in said City as recorded in Volume 1 7777
of Plats, Page 91, Mahoning County Records. 7778

Said lot has a frontage of Twenty-Five (25) feet on the 7779
north line of West Rayen Avenue and extends of even width One 7780

Hundred Fifty (150) feet and is Twenty-Five feet wide in the 7781
rear. 7782

Permanent Parcel No.: 53-003-0-089.00 7783

Parcel No. 3 7784

Situated in the City of Youngstown, County of Mahoning and 7785
State of Ohio, and known as being a part of Youngstown City Lot 7786
No. 1849 according to the latest enumeration of lots in said 7787
City, as recorded in Volume 4 of Plats, Page 14, Mahoning County 7788
Records, and more particularly bounded and described as follows: 7789

Beginning at the southwest corner of Youngstown City Lot 7790
No. 1849, said point also being the southeast corner of 7791
Youngstown City Lot No. 1916; thence northerly along the west 7792
line of said Lot No. 1849 a distance of 50 feet to a point; 7793
thence easterly and parallel to the southerly line of Lincoln 7794
Avenue a distance of 25 feet to a point; thence southerly along 7795
a line parallel to the west line of said Lot No. 1849 a distance 7796
of 50 feet to a point on the southerly line of said Lot No. 7797
1849, thence westerly along the southerly line of said Lot No. 7798
1849 a distance of 25 feet to the point of beginning, be the 7799
same more or less, but subject to all legal highways. 7800

Permanent Parcel No.: 53-003-0-199.00 7801

The foregoing legal descriptions may be corrected or 7802
modified by the Department of Administrative Services as 7803
necessary in order to facilitate the recording of the deed. 7804

(B) (1) The conveyance from the state to the Grantee 7805
includes all improvements currently situated on the real estate, 7806
and is subject to all easements, covenants, conditions, and 7807
restrictions of record: all legal highways and public rights-of- 7808
way; zoning, building, and other laws, ordinances, restrictions, 7809

and regulations; and real estate taxes and assessments not yet 7810
due and payable. The real estate shall be conveyed in an "as-is, 7811
where-is, with all faults" condition. 7812

(2) The deed may contain restrictions, exceptions, 7813
reservations, reversionary interests, or other terms and 7814
conditions the Director of Administrative Services determines to 7815
be in the best interest of the state. 7816

(3) Subsequent to the conveyance, any restrictions, 7817
exceptions, reservations, reversionary interests, or other terms 7818
and conditions contained in the deed may be released by the 7819
state or Youngstown State University without the necessity of 7820
further legislation. 7821

(C) As consideration for the conveyance of the state real 7822
estate, Charles H. Staples and Margaret A. Staples shall convey 7823
to the State of Ohio, for the use and benefit of Youngstown 7824
State University, the following described real estate: 7825

Situated in the City of Youngstown, County of Mahoning and 7826
State of Ohio and known as being Youngstown City Lot 3263 7827
according to the latest enumeration of lots in said city 7828
recorded in Plat Volume 3, Page 7, be the same more or less. 7829

Parcel Number 53-005-0-416.00-0 7830

The foregoing legal description may be corrected or 7831
modified by the Department of Administrative Services as 7832
necessary in order to facilitate the recording of the deed. 7833

The Director of Administrative Services and Charles H. 7834
Staples and Margaret A. Staples, shall execute a real estate 7835
purchase agreement in a form prescribed by the Department of 7836
Administrative Services setting forth the terms and conditions 7837
of the subject land exchange. If Charles H. Staples and Margaret 7838

A. Staples do not complete the purchase of the real estate 7839
within the time period provided in the real estate purchase 7840
agreement, the Director of Administrative Services may use any 7841
reasonable method of sale considered acceptable by the President 7842
of Youngstown State University to convey the state-owned real 7843
estate to an alternate grantee not later than three years after 7844
the effective date of this section. 7845

(D) The real estate described in division (A) of this 7846
section may be conveyed as multiple parcels. 7847

(E) Grantee shall pay all costs associated with the 7848
purchase, closing, and conveyance of the subject real estate, 7849
including surveys, title evidence, title insurance, transfer 7850
costs and fees, recording costs and fees, taxes, and any other 7851
fees, assessments, and costs that may be imposed. 7852

(F) The Auditor of State, with the assistance of the 7853
Attorney General, shall prepare a deed conveying the real estate 7854
described in division (A) of this section to the grantee. The 7855
deed shall state the consideration and shall be executed by the 7856
Governor in the name of the state, countersigned by the 7857
Secretary of State, sealed with the Great Seal of the State, 7858
presented in the Office of the Auditor of State for recording, 7859
and delivered to the grantee. The grantee shall present the deed 7860
for recording in the Office of the Mahoning County Recorder. 7861

(G) This section expires three years after its effective 7862
date. 7863

Section 24. (A) The Governor may execute a deed in the 7864
name of the state conveying to Oak Openings Region Conservancy, 7865
Inc., an Ohio not-for-profit corporation, and to its successors 7866
and assigns, all of the state's right, title, and interest in 7867

the following described real estate: 7868

 Description of 17.096 Acres 7869

 Being part of Lots 1, 2, 3 and 4 in Thayer's Addition to 7870
Garden Land, a subdivision in Springfield Township, Lucas 7871
County, Ohio which is bounded and described as follows: 7872

 Commencing at a set nail on the south line of Lot 4 at the 7873
southwest corner of Lot 4 in said Thayer's Addition to garden 7874
Land also being the centerline of Dorr Street and the south line 7875
of Fractional Section 32 a distance of 1323.96 feet west of a 7876
found bolt located at the southeast corner of Lot 1 also being 7877
the southeast corner of Fractional Section 32, 7878

 Thence North 01° 00' 45" East along the west line of said 7879
lot 4 a distance of 276.00 feet to a set 5/8 inch dia. iron rod 7880
passing a set 5/8 in dia. iron rod at 30.01 feet to the Point of 7881
Beginning; 7882

 Thence North 01° 00' 45" East continuing along the west 7883
line of said Lot 4 a distance of 749.66 feet to a set 5/8 inch 7884
dia. iron rod on the north line of the south ½ of said Lots 1, 7885
2, 3 and 4; 7886

 Thence South 89° 58' 57" East along the north line of the 7887
south ½ of said Lots 1, 2, 3 and 4 a distance of 1324.80 feet to 7888
a set nail on the east line said Lot 1 also being the centerline 7889
of King Road and the east line of Fractional Section 32 passing 7890
a 5/8 inch dia. iron rod at 1294.80 feet; 7891

 Thence South 01° 03' 40" West along the east line of said 7892
Lot 1 a distance of 30.00 feet to a set nail; 7893

 Thence North 89° 58' 57" West parallel to the north line 7894
of the south ½ of said Lots 1, 2, 3 and 4 a distance of 485.08 7895

| | |
|--|------|
| feet to a set 5/8 inch dia. iron rod passing a set 5/8 inch dia. | 7896 |
| iron rod at 30.00 feet; | 7897 |
| Thence South 01° 03' 40" West a distance of 228.31 feet to | 7898 |
| a set 5/8 inch dia. iron rod; | 7899 |
| Thence South 88° 56' 20" East a distance of 268.57 feet to | 7900 |
| a set 5/8 inch dia. iron rod; | 7901 |
| Thence South 28° 33' 50" East a distance of 73.04 feet to | 7902 |
| a set 5/8 inch dia. iron rod; | 7903 |
| Thence South 08° 57' 37" West a distance of 390.92 feet to | 7904 |
| a set 5/8 inch dia. iron rod; | 7905 |
| Thence South 11° 07' 18" East a distance of 100.90 feet to | 7906 |
| a set 5/8 inch dia. iron rod; | 7907 |
| Thence South 00° 00' 00" West a distance of 32.70 feet to | 7908 |
| a set 5/8 inch dia. iron rod on the north top of bank of Heldman | 7909 |
| Ditch; | 7910 |
| Thence North 87° 19' 59" West along the north top of bank | 7911 |
| of Heldman Ditch a distance of 288.56 feet to a set 5/8 inch | 7912 |
| dia. iron rod; | 7913 |
| Thence north 30° 47' 15" West a distance of 46.51 feet to | 7914 |
| a set 5/8 inch dia. iron rod; | 7915 |
| Thence North 01° 45' 38" west a distance of 45.34 feet to | 7916 |
| a set 5/8 inch dia. iron rod; | 7917 |
| Thence South 82° 09' 33" West a distance of 40.89 feet to | 7918 |
| a set 5/8 inch dia. iron rod; | 7919 |
| Thence South 52° 17' 43" West a distance of 70.84 feet to | 7920 |
| a set 5/8 inch dia. iron rod; | 7921 |
| Thence North 88° 54' 49" West a distance of 68.93 feet to | 7922 |

a set 5/8 inch dia. iron rod; 7923

Thence North 01° 02' 13" East a distance of 72.90 feet to 7924
a set 5/8 inch dia. iron rod; 7925

Thence North 88° 57' 47" West a distance of 33.00 feet to 7926
a set 5/8 inch dia. iron rod; 7927

Thence North 58° 29' 58" West a distance of 241.20 feet to 7928
a set 5/8 inch dia. iron rod; 7929

Thence North 01° 02' 13" East a distance of 94.00 feet to 7930
a set 5/8 inch dia. iron rod; 7931

Thence North 88° 57' 47" West a distance of 177.00 feet to 7932
a set 5/8 inch dia. iron rod; 7933

Thence South 01° 02' 13" West a distance of 164.00 feet to 7934
a set 5/8 inch dia. iron rod; 7935

Thence North 88° 57' 47" West a distance of 78.00 feet to 7936
a set 5/8 inch dia. iron rod; 7937

Thence South 21° 02' 24" East a distance of 111.78 feet to 7938
a set 5/8 inch dia. iron rod; 7939

Thence South 01° 02' 13" West a distance of 37.47 feet to 7940
a set 5/8 inch dia. iron rod; 7941

Thence North 87° 19' 59" West a distance of 32.08 feet to 7942
a set 5/8 inch dia. iron rod; 7943

Thence North 70° 38' 09" West a distance of 153.82 feet to 7944
the point of beginning. 7945

Containing 17.129 Acres of land more or less of which 7946
0.021 Acres is within the Right of Way of King Road. 7947

Excepting therefrom the following two (2) parcels: 7948

| | |
|--|------|
| EXCEPTION #1 | 7949 |
| PARCEL 2-WD | 7950 |
| LUCAS COUNTY ~ KING RD (RELOCATION) AT DORR ST | 7951 |
| Part of Lot 1 in Thayer's Addition to Garden Land as | 7952 |
| recorded in Vol. 5, Pg. 31 of Plats and also located in | 7953 |
| fractional Section 32, Town 9 South, Range 6 East, Springfield | 7954 |
| Township, Lucas County, Ohio. Being bounded and described as | 7955 |
| follows: | 7956 |
| Commencing at the Southeast corner of Lot 1 of said | 7957 |
| Thayer's Addition to Garden Land, also being the Southeast | 7958 |
| corner of fractional Section 32, Town 9 South, Range 6 East, | 7959 |
| being ½ inch bar in a found monument box at the intersection of | 7960 |
| Dorr Street with King Road (to the north), and being station | 7961 |
| 102+43.51, 0.58' Rt. On the Dorr Street baseline and station | 7962 |
| 20+00.00 on the king road baseline; | 7963 |
| Thence, South 89° 34' 56" West along the north line of | 7964 |
| Section 4, town 2, United States Reserve, a distance of 178.98 | 7965 |
| feet to a set county monument in a monument boxset at the | 7966 |
| intersection of the centerline of R/W of King Road Relocated, | 7967 |
| also being 0.16 feet right of station 100+64.53 on the Dorr | 7968 |
| Street baseline; | 7969 |
| Thence, North 00° 25' 03" West, along the centerline of | 7970 |
| R/W of King Road Relocated, a distance of 121.40 feet to a set | 7971 |
| county monument in a monument box set, at a point curvature of a | 7972 |
| tangent curve, also being station 41+21.40; | 7973 |
| Thence, northeasterly along a curve to the right, a | 7974 |
| distance of 57.46 feet to the intersection of an existing | 7975 |
| property line and the extension of the grantors southerly | 7976 |
| property line, said curve having a delta angle of 10° 58' 24", a | 7977 |

radius of 300.00', a chord distance of 57.37, and a chord 7978
bearing of North 05° 04' 10" East, also being station 41+78.86 7979
on the centerline of R/W of King Road Relocated; 7980

Thence, North 87° 20' 24" West, along the extension of the 7981
grantors southerly property line a distance of 34.14 feet to the 7982
southeast corner of the grantors property, being the POINT OF 7983
BEGINNING, also being 33.85 feet left of station 41+74.64 on the 7984
centerline of R/W of King Road Relocated; 7985

Thence, continuing North 87° 20' 24" West, along the 7986
grantors southerly property line, a distance of 24.047 feet to a 7987
set bar 58.15 feet left of station 41+72.11; 7988

Thence North 04° 40' 12" East, a distance of 11.00 feet to 7989
a set bar, 59.19 feet left of station 41+81.27; 7990

Thence North 15° 51' 22" east, a distance of 22.42 feet to 7991
a set bar 58.00 feet left of station 42+00.00; 7992

Thence North 28° 51' 31" East, a distance of 26.30 feet to 7993
the intersection of the grantors easterly property line, and a 7994
set bar, 52.44 feet left of station 42+21.72; 7995

Thence South 11° 07' 43" East, along the grantors easterly 7996
property line a distance of 24.46 feet to a point 40.92 feet 7997
left of station 42+03.04; 7998

Thence South 00° 00' 25" East, a distance of 32.70 feet 7999
back to the POINT OF BEGINNING. 8000

Said described tract containing 0.021 acre (917 square 8001
feet), more or less. 8002

Part of Auditors Parcel No. 65-55257. 8003

Prior Deed Reference; 20040304-00160055. 8004

This description was prepared by Dennis Pritscher, P.S. 8005
#7190, of the Lucas County Engineers Office, in December 2012, 8006
based plans prepared in this office. 8007

The basis of bearings is grid North, state plane 8008
coordinate system, Ohio, north zone (3401), NAD83(2007). 8009

All "set bars" are 5/8" diameter x 30" long rebar with a 8010
2" diameter aluminum cap, stamped "Lucas County Engineer 8011
Office". 8012

EXCEPTION #2 8013

PARCEL 2-CH 8014

LUCAS COUNTY ~ KING RD (RELOCATION) AT DORR ST 8015

Part of Lot 1 in Thayer's Addition to Garden Land as 8016
recorded in Vol. 5, Pg. 31 of Plats and also located in 8017
fractional Section 32, Town 9 South, Range 6 East, Springfield 8018
Township, Lucas County, Ohio. Being bounded and described as 8019
follows: 8020

Commencing at the Southeast corner of Lot 1 of said 8021
Thayer's Addition to Garden Land, also being the Southeast 8022
corner of fractional Section 32, Town 9 South, Range 6 East, 8023
being ½ inch bar in a found monument box at the intersection of 8024
Dorr Street with King Road (to the north), and being station 8025
102+43.51, 0.58' Rt. On the Dorr Street baseline and station 8026
20+00.00 on the king road baseline; 8027

Thence, South 89° 34' 56" West along the north line of 8028
Section 4, town 2, United States Reserve, a distance of 178.98 8029
feet to a set county monument in a monument boxset at the 8030
intersection of the centerline of R/W of King Road Relocated, 8031
also being 0.16 feet right of station 100+64.53 on the Dorr 8032

Street baseline; 8033

Thence, North 00° 25' 03" West, along the centerline of 8034
R/W of King Road Relocated, a distance of 121.40 feet to a set 8035
county monument in a monument box set, at a point curvature of a 8036
tangent curve, also being station 41+21.40; 8037

Thence, northeasterly along a curve to the right, a 8038
distance of 57.46 feet to the intersection of an existing 8039
property line and the extension of the grantors southerly 8040
property line, said curve having a delta angle of 10° 58' 24", a 8041
radius of 300.00', a chord distance of 57.37, and a chord 8042
bearing of North 05° 04' 10" East, also being station 41+78.86 8043
on the centerline of R/W of King Road Relocated; 8044

Thence, North 87° 20' 24" West, along the extension of the 8045
grantors southerly property line and then the southerly property 8046
line a distance of 58.61 feet to a set bar and the POINT OF 8047
BEGINNING, also being 58.15 feet left of station 41+72.11 on the 8048
centerline of R/W of King road Relocated; 8049

Thence, continuing North 87° 20' 24" West, along the 8050
grantors southerly property line a distance of 52.75 feet to a 8051
point 110.59 feet left of station 41+67.68; 8052

Thence North 00° 54' 58" East, a distance of 9.37 feet to 8053
a point 111.92 feet left of station 41+74.44; 8054

Thence South 89° 05' 02" East, a distance of 53.45 feet to 8055
a set bar 59.19 feet left of station 41+81.27; 8056

Thence South 04° 40' 12" West, a distance of 11.00 feet 8057
back to the POINT OF BEGINNING. 8058

Said described tract containing 0.012 acre (540 square 8059
feet), more or less. 8060

Part of Auditors Parcel No. 65-55257. 8061

Prior Deed Reference; 20040304-00160055. 8062

This description was prepared by Dennis Pritscher, P.S. 8063
#7190, of the Lucas County Engineers Office, in December 2012, 8064
based plans prepared in this office. 8065

The basis of bearings is grid North, state plane 8066
coordinate system, Ohio, north zone (3401), NAD83(2007). 8067

All "set bars" are 5/8" diameter x 30" long rebar with a 8068
2" diameter aluminum cap, stamped "Lucas County Engineer 8069
Office". 8070

Parent Parcel (17.129 Ac) less exceptions (0.021 Ac & 8071
0.012 Ac) = 17.096 Acres 8072

Auditors Parcel No. 65-55257. 8073

Prior Deed Reference; 20130114-0002069. 8074

The foregoing legal description may be corrected or 8075
modified by the Department of Administrative Services as 8076
necessary in order to facilitate the recording of the deed. 8077

(B) The real estate described in division (A) of this 8078
section shall be conveyed to Oak Openings Region Conservancy, 8079
Inc. at a consideration of \$1 in accordance with, and subject 8080
to, the terms of the July 23, 2012, Consent Order entered in the 8081
case of State of Ohio, ex rel. Michael DeWine, Attorney General 8082
of Ohio v. Kings Crossing North LLC, et al., Case No. G-4801-CI- 8083
200904585-000 (Ct. of Common Pleas, Lucas County, Ohio). 8084
Additionally, such real estate shall be conveyed subject to all 8085
easements, covenants, conditions, and restrictions of record; 8086
all legal highways; zoning, building, and other laws, 8087
ordinances, restrictions and regulations; and real estate taxes 8088

and assessments not yet due and payable. 8089

(C) The deed to the real estate shall contain any 8090
restrictions, covenants, terms and conditions required by the 8091
Consent Order noted in division (B) of this section and as may 8092
be determined by the Director of Administrative Services and the 8093
Director of Environmental Protection to be in the best interest 8094
of the state, including holding grantee responsible for all 8095
ongoing maintenance of the real estate described in division (A) 8096
of this section as well as the cost and labor of upkeep of the 8097
fence as required in the Consent Order noted in division (B) of 8098
this section. 8099

(D) Before the execution of the deed described in division 8100
(E) of this section, possession of the real estate described in 8101
division (A) of this section shall remain with the Department of 8102
Administrative Services on behalf of the Environmental 8103
Protection Agency. 8104

(E) The Auditor of State, with the assistance of the 8105
Attorney General, shall prepare a deed to the real estate. The 8106
deed shall state the consideration and shall be executed by the 8107
Governor in the name of the state, countersigned by the 8108
Secretary of State, sealed with the Great Seal of the State, 8109
presented in the Office of the Auditor of State for recording, 8110
and delivered to the grantee. The grantee shall present the deed 8111
for recording in the Office of the Lucas County Recorder. 8112

(F) The grantee shall pay all closing costs including the 8113
costs of the conveyance of the real estate described in division 8114
(A) of this section, and the recording costs of the deed. 8115

(G) This section expires three years after its effective 8116
date. 8117

Section 25. (A) The Governor may execute a deed in the 8118
name of the state conveying to the Board of County Commissioners 8119
of Clark County, Ohio, and to its successors and assigns, all of 8120
the state's right, title, and interest in the following 8121
described real estate: 8122

Description of 2.82 Acres 8123

Situated in the State of Ohio, County of Clark, Township 8124
of Springfield, and described as follows: 8125

Being part of the northwest quarter of Section 3, Township 8126
5, Range 9, and part of the northeast quarter of Section 9, 8127
Township 5, Range 9, between the Miami Rivers Survey. 8128

Beginning at a point in the centerline of the Laybourne 8129
Road, North 85° 27' West, 370.0 feet from the intersection of 8130
said centerline with the centerline of State Route 70 8131
(Springfield and Washington C.H. Road); 8132

Thence, with the centerline of Laybourne Road, North 85° 8133
57' West, 650.0 feet; 8134

Thence, North 29° 46' East, 248.63 feet to a pipe; 8135

Thence, North 54° 27' East, 180.0 feet to a pipe; 8136

Thence, South 80° 33' East, 134.22 feet to a pipe; 8137

Thence, South 35° 33' East, 423.24 feet to the place of 8138
beginning, containing 3.20 Acres. 8139

Excepting therefrom: 8140

Situated in the Township of Springfield, County of Clark, 8141
State of Ohio, and in Sections 3 and 9, Town 5 East, Range 9 8142
North, and bounded and described as follows: 8143

PARCEL NO. 12 WL 8144

Being part of the northwest quarter of Section 3 and part 8145
of the northeast quarter of Section 9 and a triangular shaped 8146
piece off the southeast corner of the Grantor's tract in Section 8147
3 and more completely described as follows: 8148

Beginning at the Grantor's southeast corner, said point 8149
being on the half section line and 185.90 feet left of Station 8150
959+57.98 on the centerline of U.S. 40 and bearing N. 84° 15' 8151
10" W., 223.76 feet from the intersection of the half section 8152
line with the centerline of U.S. 40 at Station 960+82.52; 8153

Thence, N. 84° 15' 10" W., 189.30 feet along the Grantor's 8154
south line and half section line to a point 342.77 feet radially 8155
left of Station 958+48.47 and passing 245.84 feet left of P.T. 8156
Station 959+17.82; 8157

Thence, N. 4° 53' 59" E., 233.11 feet to a point on the 8158
Grantor's east line 475.76 feet left of Station 960+44.34; 8159

Thence S. 33° 50' 30" E., 302.45 feet along the Grantor's 8160
east line to the point of beginning. 8161

Contains 0.38 acres, more or less, excluding 0.12 acres of 8162
right-of-way previously occupied by Laybourne Road. 8163

Said stations being station number as stipulated in the 8164
hereinbefore mentioned survey and as shown by plans on file in 8165
the Department of Highways, Columbus, Ohio. 8166

Prior Deed Reference: Vol. 452 Pg. 645 8167

Auditor's Parcel Number: 30507000090001024 8168

The foregoing legal description may be corrected or 8169
modified by the Department of Administrative Services as 8170
necessary in order to facilitate the recording of the deed. 8171

(B) (1) The conveyance from the state to the grantee 8172
includes all improvements and chattels currently situated on the 8173
real estate, and is subject to all easements, covenants, 8174
conditions, and restrictions of record; all legal highways and 8175
public rights-of-way; zoning, building, and other laws, 8176
ordinances, restrictions, and regulations; and real estate taxes 8177
and assessments not yet due and payable. The real estate shall 8178
be conveyed in an "as-is, where-is, with all faults" condition. 8179

(2) The deed may contain restrictions, exceptions, 8180
reservations, reversionary interests, or other terms and 8181
conditions the Director of Administrative Services determines to 8182
be in the best interest of the state. 8183

(3) Subsequent to the conveyance, any restrictions, 8184
exceptions, reservations, reversionary interests, or other terms 8185
and conditions contained in the deed may be released by the 8186
state or the Ohio Adjutant General's Department without the 8187
necessity of further legislation. 8188

(C) Consideration for the conveyance of the real estate 8189
described in division (A) of this section is \$125,000. 8190

The Director of Administrative Services and the Board of 8191
County Commissioners of Clark County, Ohio, shall execute a real 8192
estate purchase agreement in a form prescribed by the Department 8193
of Administrative Services setting forth the terms and 8194
conditions of the subject conveyance. If the Board of County 8195
Commissioners of Clark County, Ohio, does not complete the 8196
purchase of the real estate within the time period provided in 8197
the real estate purchase agreement, the Director of 8198
Administrative Services may use any reasonable method of sale 8199
considered acceptable by the Ohio Adjutant General's Department 8200
to convey the real estate to an alternate grantee not later than 8201

three years after the effective date of this section. 8202

(D) The real estate described in division (A) of this 8203
section shall be sold as an entire tract and not in parcels. 8204

(E) Grantee shall pay all costs associated with the 8205
purchase, closing, and conveyance of the real estate, including 8206
surveys, title evidence, title insurance, transfer costs and 8207
fees, recording costs and fees, taxes, and any other fees, 8208
assessments, and costs that may be imposed in connection with 8209
this conveyance. 8210

The net proceeds of the sale shall be deposited into the 8211
state treasury to the credit of the Armory Improvements Fund in 8212
accordance with section 5911.10 of the Revised Code. 8213

(F) Upon receipt of written notice from the Director of 8214
Administrative Services, the Auditor of State, with the 8215
assistance of the Attorney General, shall prepare a deed 8216
conveying title to the real estate described in division (A) of 8217
this section to the grantee. The deed shall state the 8218
consideration and shall be executed by the Governor in the name 8219
of the state, countersigned by the Secretary of State, sealed 8220
with the Great Seal of the State, presented in the Office of the 8221
Auditor of State for recording, and delivered to the grantee. 8222
The grantee shall present the deed for recording in the Office 8223
of the Clark County Recorder. 8224

(G) This section expires three years after its effective 8225
date. 8226

Section 26. (A) The Governor may execute a deed in the 8227
name of the state conveying to the Gallia County Board of 8228
Commissioners or another grantee to be determined ("Grantee"), 8229
and its heirs, and to its successors and assigns, all of the 8230

state's right, title, and interest in the following described 8231
real estate: 8232

Begin at an angle point in the right-of-way of Ohio Ave, 8233
said point being 27.23 feet distant from and on an extension of 8234
the northeast line of Lot 1 of Colonial Subdivision Number 2 8235
(P.B. 3, Pg. 24), and being 0.50 feet from the edge of pavement 8236
as referenced in Deed Volume 384, Page 477, thence, 8237
northwesterly, along the northeast line of said Colonial 8238
Subdivision Number 2, 480 feet+/- to an angle point in a 30 feet 8239
wide street, thence, northerly, along said 30 feet wide street, 8240
80 +/- feet to a point about 1 foot north of a line of large 8241
trees, thence, northeasterly, running about 1 foot north of a 8242
line of large trees, 595 feet +/-, to a point where a line 0.50 8243
feet distant from, and parallel to the east edge of sidewalk 8244
line of West Avenue intersects, thence, southeasterly along a 8245
line 0.50 feet distant from, and parallel to the east edge of 8246
sidewalk line of West Avenue, 330 feet +/- to a point of 8247
curvature in said parallel line, thence with a curve to the 8248
left, along a line 0.50 feet distant from, and parallel to the 8249
east edge of pavement line of West Avenue to a point 0.50 feet 8250
west of the edge of the pavement on the west side of Buckeye 8251
Avenue thence, southerly on a line 0.50 feet distant from and 8252
parallel to the west edge of pavement of Buckeye Avenue to a 8253
point on the north side of Ohio Avenue as referenced in Deed 8254
Volume 384, Page 477, thence along the north side of Ohio Avenue 8255
to the beginning and containing approximately 7.7 acres. All 8256
references are to records found in the offices of the Gallia 8257
County Recorder. 8258

The foregoing legal description may be corrected or 8259
modified by the Department of Administrative Services as 8260
necessary in order to facilitate the recording of the deed. 8261

(B) (1) The conveyance includes improvements and chattels 8262
situated on the real estate, and is subject to all easements, 8263
covenants, conditions, and restrictions of record: all legal 8264
highways and public rights-of-way; zoning, building, and other 8265
laws, ordinances, restrictions, and regulations; and real estate 8266
taxes and assessments not yet due and payable. The real estate 8267
shall be conveyed in an "as-is, where-is, with all faults" 8268
condition. 8269

(2) The deed may contain restrictions, exceptions, 8270
reservations, reversionary interests, or other terms and 8271
conditions the Director of Administrative Services determines to 8272
be in the best interest of the state. 8273

(3) Subsequent to the conveyance, any restrictions, 8274
exceptions, reservations, reversionary interests, or other terms 8275
and conditions contained in the deed may be released by the 8276
state or the Department of Developmental Disabilities without 8277
the necessity of further legislation. 8278

(C) Consideration for the conveyance of the real estate 8279
described in division (A) of this section is \$1. 8280

The Director of Administrative Services shall offer the 8281
real estate to the Gallia County Board of Commissioners, or 8282
other grantee, through a real estate purchase agreement. If the 8283
Board of County Commissioners of Gallia County, Ohio, or other 8284
grantee, does not complete the purchase of the real estate 8285
within the time period provided in the real estate purchase 8286
agreement, the Director of Administrative Services may use any 8287
reasonable method of sale considered acceptable by the 8288
Department of Developmental Disabilities to determine an 8289
alternate grantee or grantees willing to complete the purchase 8290
not later than three years after the effective date of this 8291

section. In that case, consideration for the conveyance of the 8292
real estate shall be at a price acceptable to the Director of 8293
Administrative Services and the Director of Developmental 8294
Disabilities. The Department of Developmental Disabilities shall 8295
pay all advertising costs, additional fees, and other costs 8296
incident to the sale of the real estate to an alternate grantee 8297
or grantees. 8298

(D) The real estate described in division (A) of this 8299
section shall be sold as an entire tract and not in parcels. 8300

(E) Except as otherwise specified in this section, grantee 8301
shall pay all costs associated with the purchase, closing, and 8302
conveyance of the real estate, including surveys, title 8303
evidence, title insurance, transfer costs and fees, recording 8304
costs and fees, taxes, and any other fees, assessments, and 8305
costs that may be imposed. 8306

The net proceeds of the sale shall be deposited into the 8307
state treasury to the credit of the Mental Health Facilities 8308
Improvement Fund (Fund 7033) or another fund designated by the 8309
Director of Budget and Management. 8310

(F) (1) Upon payment of the purchase price, the Auditor of 8311
State, with the assistance of the Attorney General, shall 8312
prepare a deed to the real estate described in division (A) of 8313
this section. The deed shall state the consideration and shall 8314
be executed by the Governor in the name of the state, 8315
countersigned by the Secretary of State, sealed with the Great 8316
Seal of the State, presented in the Office of the Auditor of 8317
State for recording, and delivered to the grantee. The grantee 8318
shall present the deed for recording in the Office of the Gallia 8319
County Recorder. 8320

(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 8350
highways and public rights-of-way; zoning, building, and other 8351
laws, ordinances, restrictions, and regulations; and real estate 8352
taxes and assessments not yet due and payable. The real estate 8353
shall be conveyed in "as-is, where-is, with all faults" 8354
condition. 8355

(2) The deed for the conveyance of the real estate may 8356
contain restrictions, exceptions, reservations, reversionary 8357
interests, or other terms and conditions the Director of 8358
Administrative Services and the Director of Rehabilitation and 8359
Correction determine to be in the best interest of the state. 8360

(3) Subsequent to the conveyance, any restrictions, 8361
exceptions, reservations, reversionary interests, or other terms 8362
and conditions contained in the deed may be released by the 8363
state or the Department of Rehabilitation and Correction without 8364
the necessity of further legislation. 8365

(C) The Director of Administrative Services shall conduct 8366
a sale of the real estate by sealed bid auction, and the real 8367
estate shall be sold to the highest bidder at a price acceptable 8368
to the Director of Administrative Services and the Director of 8369
Rehabilitation and Correction. The Director of Administrative 8370
Services shall advertise the sealed bid auction by publication 8371
in a newspaper of general circulation in Mahoning County once a 8372
week for three consecutive weeks before the date on which the 8373
sealed bids are to be opened. The Director of Administrative 8374
Services shall notify the successful bidder in writing. The 8375
Director of Administrative Services may reject any or all bids. 8376

The purchaser shall pay ten percent of the purchase price 8377
to the Director of Administrative Services not later than five 8378
business days after receiving notice that the bid has been 8379

accepted, and pay the balance of the purchase price to the 8380
Director not later than sixty days after receiving notice that 8381
the bid has been accepted. The Director and purchaser shall 8382
enter into a real estate purchase agreement, in the form 8383
prescribed by the Department of Administrative Services. Payment 8384
may be made in cash or certified bank check made payable to the 8385
Treasurer of State. A purchaser who does not complete the 8386
conditions of the sale as prescribed in this division shall 8387
forfeit as liquidated damages the ten percent of the purchase 8388
price paid to the state. If a purchaser fails to complete the 8389
purchase of the real estate, the Director of Administrative 8390
Services may accept the next highest bid, subject to the 8391
foregoing conditions. If the Director of Administrative Services 8392
rejects all bids, the Director may repeat the sealed bid 8393
auction, or may use an alternative sale process that is 8394
acceptable to the Department of Rehabilitation and Correction. 8395

The Department of Rehabilitation and Correction shall pay 8396
all advertising costs incident to the sale of the real estate. 8397

(D) The real estate described in division (A) of this 8398
section shall be sold as an entire tract and not in parcels. 8399

(E) Purchaser shall pay all costs associated with the 8400
purchase, closing, and conveyance of the real estate, including 8401
surveys, title evidence, title insurance, transfer costs and 8402
fees, recording costs and fees, taxes, and any other fees, 8403
assessments, and costs that may be imposed but excluding the 8404
costs set forth in division (C) of this section. 8405

The net proceeds of the sale shall be deposited into the 8406
state treasury to the credit of the Adult and Juvenile 8407
Correctional Facilities Bond Retirement Fund created under 8408
section 5120.092 of the Revised Code and shall be used for debt 8409

retirement only. 8410

(F) Upon payment of the purchase price, the Auditor of 8411
State, with the assistance of the Attorney General, shall 8412
prepare a deed conveying the real estate described in division 8413
(A) of this section to the purchaser. The deed shall state the 8414
consideration and shall be executed by the Governor in the name 8415
of the state, countersigned by the Secretary of State, sealed 8416
with the Great Seal of the State, presented in the Office of the 8417
Auditor of State for recording, and delivered to the purchaser. 8418
The purchaser shall present the deed for recording in the Office 8419
of the Mahoning County Recorder. 8420

(G) This section expires three years after its effective 8421
date. 8422

Section 28. (A) The Governor may execute a deed in the 8423
name of the state conveying to Ohio Power Company or its 8424
affiliates ("Grantee"), and to its successors and assigns, all 8425
of the state's right, title, and interest in the following 8426
described real estate: 8427

Situated in the State of Ohio, County of Ross, Township of 8428
Union, containing a portion of the lands conveyed to The State 8429
of Ohio for the benefit of the Department of Rehabilitation and 8430
Correction, as recorded in Official Record 228, Page 2578, 8431
(Parcel No. 37-0915151.600), all references contained herein are 8432
to Ross County Recorder's records, Ross County, Ohio and being 8433
more particularly bounded and described as follows: 8434

Beginning at a 5/8 inch Iron Pin and Cap found at the 8435
northerly corner of a 0.498 Acre tract and on the westerly line 8436
of a 22.976 Acre tract, both parcels conveyed to The Ohio 8437
Department of Transportation as recorded in Official Record 365, 8438

Page 1308, said point also being intersection of the northerly 8439
Right of Way line of Moundsville Road and the westerly Right of 8440
Way line of State Route 104; 8441

thence, S 63°05'41"W, 446.04' with the northerly line of 8442
Moundsville Road to a 5/8 inch Iron Pin and Cap found at the 8443
southwesterly corner of said 0.498 Acre tract, said point also 8444
being on the north line of a 4.349 Acre tract conveyed to The 8445
Ross County Board of County Commissioners, as recorded in 8446
Official Record 229, Page 2300; 8447

thence, S 76°00'42"W, 563.66', running with the northerly 8448
line of Moundsville Road to a 5/8 inch Iron Pin and Cap found on 8449
the north line of said 4.349 acre tract; 8450

thence, leaving the northerly Right of Way line of said 8451
Moundsville Road and running within said State of Ohio lands the 8452
following two consecutive courses; 8453

1) N 14°07'03"W, 372.36 to an Iron Pin and Cap set; 8454

2) N 76°09'36"E, 995.77' to an Iron Pin and Cap set on the 8455
west Right of Way line of said State Route 104 8456

thence, S 14°43'37"E, 270.09' to the Point of Beginning 8457
containing 8.000 acres of land acres, more or less, subject to 8458
all streets, highways, right-of-ways, alleys, easements, 8459
agreements and/or conditions of record, if any. 8460

Bearings are based on the Ohio State Plane Coordinate 8461
System, N.A.D. 83, Ohio South Zone. 8462

This description is based on an actual field survey 8463
performed on the eighteenth day of October, 2016. 8464

All iron pins set are 5/8 inch diameter x 30 inch rebar 8465
with a yellow plastic cap stamped "Central Surv Co., Ltd." 8466

The foregoing legal description may be corrected or 8467
modified by the Department of Administrative Services as 8468
necessary in order to facilitate the recording of the deed. 8469

(B) (1) The conveyance includes improvements and chattels 8470
situated on the real estate, and is subject to all easements, 8471
covenants, conditions, and restrictions of record: all legal 8472
highways and public rights-of-way; zoning, building, and other 8473
laws, ordinances, restrictions, and regulations; and real estate 8474
taxes and assessments not yet due and payable. The real estate 8475
shall be conveyed in an "as-is, where-is, with all faults" 8476
condition. 8477

(2) The deed for the conveyance of the real estate may 8478
contain restrictions, exceptions, reservations, reversionary 8479
interests, or other terms and conditions the Director of 8480
Administrative Services determines to be in the best interest of 8481
the state. 8482

(3) Before the conveyance, any restrictions, exceptions, 8483
reservations, reversionary interests, or other terms and 8484
conditions contained in the deed may be released by the state or 8485
the Department of Rehabilitation and Correction without the 8486
necessity of further legislation. 8487

(C) The Director of Administrative Services shall offer 8488
the real estate to Ohio Power Company through a real estate 8489
purchase agreement, in the form prescribed by the Department of 8490
Administrative Services. Consideration for the conveyance of the 8491
real estate shall be at a price acceptable to the Director of 8492
Administrative Services and the Director of Rehabilitation and 8493
Correction. If Ohio Power Company does not complete the purchase 8494
of the real estate within the time period provided in the real 8495
estate purchase agreement, the Director of Administrative 8496

Services may use any reasonable method of sale considered 8497
acceptable by the Department of Rehabilitation and Correction to 8498
determine an alternate grantee willing to complete the purchase 8499
not later than three years after the effective date of this 8500
section. 8501

(D) The real estate shall be sold as an entire tract and 8502
not in parcels. 8503

(E) The grantee shall pay all costs associated with the 8504
purchase, closing, and conveyance of the real estate, including 8505
surveys, appraisals, title evidence, title insurance, transfer 8506
costs and fees, recording costs and fees, taxes, and any other 8507
fees, assessments, and costs that may be imposed. 8508

The net proceeds of the sale or sales shall be deposited 8509
into the state treasury to the credit of the Adult and Juvenile 8510
Correctional Facilities Bond Retirement Fund in accordance with 8511
section 5120.092 of the Revised Code and shall be used for debt 8512
retirement only. 8513

(F) Upon payment of the purchase price, the Auditor of 8514
State, with the assistance of the Attorney General, shall 8515
prepare a deed to the real estate. The deed shall state the 8516
consideration and shall be executed by the Governor in the name 8517
of the state, countersigned by the Secretary of State, sealed 8518
with the Great Seal of the State, presented in the Office of the 8519
Auditor of State for recording, and delivered to the grantee. 8520
The grantee shall present the deed for recording in the Office 8521
of the Ross County Recorder. 8522

(G) This section expires three years after its effective 8523
date. 8524

Section 29. Notwithstanding division (A) (5) of section 8525

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; 8556

Thence, along said centerline of State Route 28 S 81 deg 8557
42' 35" W, a distance of 70.42 feet to a railroad spike set in 8558
said centerline of State Route 28; 8559

Thence, crossing said State Route 28, and crossing said 8560
100.72 acres tract N 08 deg 25' 32" W a distance of 172.73 feet 8561
to an iron pin set; 8562

Thence, crossing said 100.72 acres tract, S 81 deg 34' 28" 8563
W a distance of 305.70 feet to an iron pin set in the eastern 8564
boundary of Lot 6M of Wilbur Huffman Subdivision of record with 8565
said Recorder's Office as an extension of the Village of New 8566
Vienna; 8567

Thence, along the western boundary of said 100.72 acres 8568
tract and the eastern boundary of said Wilbur Huffman 8569
Subdivision, N 43 deg 30' 03" W, a distance of 346.10 feet to an 8570
iron pin set at the northeastern corner of Lot 1M of said Wilbur 8571
Huffman Subdivision, at a northwestern corner of said 100.72 8572
acres tract, and in the southern boundary of a 0.36 acres tract 8573
as conveyed to Thomas J. Hicks of record in Deed Book 82, Page 8574
96 at said Recorder's Office; 8575

Thence, along a northern boundary of said 100.72 acres 8576
tract and the southern boundaries of the following tracts: 8577

0.46 acres to L. & D. Barley in Deed Book 117, Page 201; 8578

0.61 acres to Charles & Maxine M. Clark in Deed Book 273, 8579
Page 264, 8580

0.64 acres to Robert & Ann M. Norman in Deed Book 95, Page 8581
521, 8582

0.48 acres to Wilma J. Crossham in Deed Book 175, Page 99, 8583

0.34 acres to Kristopher R. Cochran in deed Book 120, Page 8584
789, 8585

N 45 deg 30' 00" E a distance of 516.12 feet to an iron 8586
pin set at the southeastern corner of said 0.34 acres tract; 8587

Thence, along the eastern boundary of said 0.34 acres 8588
tract and a western boundary of said 100.72 acres tract, N 45 8589
deg 01' 35" W a distance of 22.44 feet to an iron pin set in the 8590
eastern boundary of said 0.34 acres tract, in a western boundary 8591
of said 100.72 acres tract, and at the southwestern corner of a 8592
0.500 acres tract as conveyed to Virginia Hilderbrant as 8593
recorded in Deed Book 230, Page 131 at said Recorder's Office; 8594

Thence along a northern boundary of said 100.72 acres 8595
tract and the southern boundaries of said 0.500 acres 8596
Hilderbrant tract and a 0.439 acres tract as conveyed to G. L. 8597
P. and Brewer J. Brewer of record in Deed Book 286, Page 876 at 8598
said Recorder's Office, N 46 deg 22' 32" E (passing an iron pin 8599
found at the southwestern corner of said 0.439 acres tract at a 8600
distance of 223.44 feet) a total distance of 319.44 feet to an 8601
iron pin set; at the southeastern corner of said 0.439 acres 8602
tract and in the northern boundary of said 100.72 acres tract; 8603

Thence crossing said 100.72 acres tract the following two 8604
courses: 8605

1) S 44 deg 02' 41" E a distance of 400.00 feet to an iron 8606
pin set; 8607

2) S 35 deg 54' 34" E a distance of 740.37 feet to a 8608
railroad spike set in the southern boundary of said 100.72 acres 8609
tract and in the centerline of said State Route 28; 8610

Thence along the centerline of said State Route 28 and the 8611
southern boundary of said 100.72 acres tract S 83 deg 16' 45" W 8612

a distance of 664.73 feet to the point of beginning containing 8613
15.000 acres more or less, and being subject to all easements, 8614
restrictions and right-of-ways (if any) or previous record. 8615

This description was prepared by Civil Engineering 8616
Associates, Inc., Columbus, Ohio from an actual field survey of 8617
the premises in September of 1995. The basis of bearings is N 45 8618
deg 30' 00" E for a northern boundary of said 100.72 acres tract 8619
as conveyed in Deed Book 252, Page 540. 8620

The foregoing legal description may be corrected or 8621
modified by the Department of Administrative Services as 8622
necessary in order to facilitate the recording of the deed. 8623

(B) The real estate was originally conveyed to the state 8624
as collateral for school construction facility bonds. Once the 8625
construction project was completed, the intention was for the 8626
state to convey title of this real estate to the East Clinton 8627
Local School District. The purpose of this legislation is to 8628
fulfill this intention. 8629

(C) The real estate described in division (A) of this 8630
section shall be conveyed as an entire tract and not in parcels. 8631

(D) Consideration for the conveyance of the real estate 8632
described in division (A) of this section is \$1. 8633

(E) The grantee shall pay all costs associated with the 8634
purchase and conveyance of the real estate including recording 8635
costs and fees. 8636

(F) The net proceeds of the conveyance shall be deposited 8637
into the state treasury to the credit of the General Revenue 8638
Fund. 8639

(G) Upon payment of the purchase price, the Auditor of 8640

State, with the assistance of the Attorney General, shall 8641
prepare a deed to the real estate. The deed shall state the 8642
consideration and the terms and conditions of the conveyance. 8643
The deed shall be executed by the Governor in the name of the 8644
state, countersigned by the Secretary of State, sealed with the 8645
Great Seal of the State, presented in the Office of the Auditor 8646
of State for recording, and delivered to the grantee. The 8647
grantee shall present the deed for recording in the Office of 8648
the Clinton County Recorder. 8649

(H) This section shall expire three years after its 8650
effective date. 8651

Section 31. (A) The Governor may execute a deed in the 8652
name of the state conveying to the Board of Education of the 8653
Northridge Local School District, and to its successors and 8654
assigns, all of the state's right, title, and interest in the 8655
following described real estate: 8656

Situated in the Township of Liberty, County of Licking and 8657
State of Ohio, and bounded as described as follows: 8658

Being in range fourteen (14), township three (3) and 8659
quarter township number one (1), of the United States Military 8660
Tract and being a part of lot number four (4) in the plat survey 8661
of Bushnell, the County Surveyor, lying in the west half of 8662
Quarter Township or section number one (1) and being in the same 8663
real estate conveyed to Ralph L. Parrill and Donna J. Parrill 8664
and Donald Parrill and C. Katharine Parrill by Alfred M. Kass 8665
and Frank Kass, Trustees of the Joseph F. Kass Trust, by deed 8666
dated September 22, 1977 and recorded in deed record volume 767, 8667
page 544, and being more particularly described as follows: 8668

Beginning at a point in the centerline of U. S. Highway 8669

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 8728
\$1. 8729

(C) The real estate shall be sold as an entire tract and 8730
not in parcels. 8731

(D) The Auditor of State, with the assistance of the 8732
Attorney General, shall prepare a deed to the real estate. The 8733
deed shall state the consideration and shall be executed by the 8734
Governor in the name of the state, countersigned by the 8735
Secretary of State, sealed with the Great Seal of the State, 8736
presented in the Office of the Auditor of State for recording, 8737
and delivered to the grantee. The grantee shall present the deed 8738
for recording in the Office of the Licking County Recorder. 8739

(E) The grantee shall pay the costs of the conveyance of 8740
the real estate, including recordation costs of the deed. 8741

(F) The net proceeds of the conveyance shall be deposited 8742
into the state treasury to the credit of the General Revenue 8743
Fund. 8744

(G) This section expires three years after its effective 8745
date. 8746

Section 32. (A) Notwithstanding division (A) (5) of section 8747
123.01 of the Revised Code, the Director of Administrative 8748
Services may execute a perpetual easement in the name of the 8749
state granting to the City of Piqua and to its successors and 8750
assigns, a perpetual water line easement located at the Johnston 8751
Farm and Indian Agency Historic Site and legally described as 8752
follows: 8753

Situated in Section 6, Town 6, Range 6 East, City of 8754
Piqua, Miami County, Ohio being Lot 8138 as conveyed to the 8755
State of Ohio in D.B. 426 Page 70 of the Miami County Recorder's 8756

Office and being more particularly described as follows: 8757

Commencing at the southeast corner of the above referenced 8758
Lot 8138, being the southwest corner of a tract of land conveyed 8759
to the Ohio Historical Society; 8760

Thence along a southerly line of Lot 8138, N72°45'13"W a 8761
distance of 161.22 feet; 8762

Thence continuing along a southerly line of Lot 8138, 8763
N34°47'23"W a distance of 200.22 feet to the True Point of 8764
Beginning; 8765

Thence continuing along said southerly line, N34°47'23"W a 8766
distance of 25.87 feet; 8767

Thence along lines through said Lot 8138, S85°25'01"E a 8768
distance of 277.88 feet to a point in the east line of said Lot 8769
8138; 8770

Thence along the east line of said lot, S29°19'07"W a 8771
distance of 22.02 feet; 8772

Thence along a line through said Lot 8138, N85°25'01"W a 8773
distance of 252.26 to the Point of Beginning. 8774

The above described parcel containing 5,301 square feet 8775
more or less. 8776

The foregoing legal description may be corrected or 8777
modified by the Department of Administrative Services as 8778
necessary in order to facilitate the recording of the easement. 8779

(B) The perpetual easement shall state the obligations of, 8780
and the duties to be observed and performed by, the City of 8781
Piqua, Ohio, with regard to the perpetual easement, and shall 8782
require the City of Piqua, Ohio, to assume perpetual 8783

responsibility for operating, maintaining, repairing, 8784
reconstructing, and replacing an existing water supply line on 8785
the real estate. 8786

(C) The consideration for the granting of this easement is 8787
\$426. 8788

(D) The Director of Administrative Services, with the 8789
assistance of the Attorney General, shall prepare and execute 8790
the perpetual easement document. The perpetual easement shall 8791
state the consideration and the terms and conditions for the 8792
granting of the perpetual easement. The perpetual easement shall 8793
be executed by the Director of Administrative Services in the 8794
name of the state, presented in the Office of the Auditor of 8795
State for recording, and delivered to the City of Piqua, Ohio. 8796
The City of Piqua, Ohio, shall present the perpetual easement 8797
for recording in the Office of the Miami County Recorder. The 8798
City of Piqua, Ohio, shall pay the recording costs and fees. 8799

(E) This section expires three years after its effective 8800
date. 8801

Section 33. That sections 729.10 and 729.11 of Am. Sub. 8802
H.B. 483 of the 130th General Assembly, as amended by Sub. H.B. 8803
53 of the 131st General Assembly, be amended to read as follows: 8804

Sec. 729.10. (A) (1) There is hereby created the Criminal 8805
Justice Recodification Committee, consisting of twenty-four 8806
members. Three members shall be members of the Senate, appointed 8807
by the President of the Senate. Two of those members shall be 8808
members of the majority party in the Senate and one shall be a 8809
member of the minority party in the Senate. Three members shall 8810
be members of the House of Representatives, appointed by the 8811
Speaker of the House of Representatives. Two of those members 8812

shall be members of the majority party in the House of 8813
Representatives and one shall be a member of the minority party 8814
in the House of Representatives. One member shall be a Justice 8815
of the Supreme Court, appointed by the Chief Justice of the 8816
Supreme Court. One member shall be the Director of 8817
Rehabilitation and Correction or the Director's individual 8818
designee. One member shall be the Director of Youth Services or 8819
the Director's individual designee. Three members, not more than 8820
two of whom shall be members of the same political party, shall 8821
be judges jointly appointed by the President of the Senate and 8822
the Speaker of the House of Representatives after consulting 8823
with the Chief Justice of the Supreme Court, with each judge 8824
being a judge of a court of appeals, judge of a court of common 8825
pleas, judge of a municipal court, or judge of a county court. 8826
The following twelve members, not more than seven of whom shall 8827
be members of the same political party, shall be jointly 8828
appointed by the President of the Senate and the Speaker of the 8829
House of Representatives after consulting with the appropriate 8830
state associations, if any, that are represented by these 8831
members: one sheriff; one peace officer of a municipal 8832
corporation or township; three prosecutors, each of whom is a 8833
county prosecuting attorney or a full-time city prosecuting 8834
attorney; three attorneys whose practice of law primarily 8835
involves the representation of criminal defendants; one member 8836
of the Ohio State Bar Association; one representative of 8837
community corrections programs; one representative of community 8838
addiction services providers or community mental health services 8839
providers; and one representative of a juvenile justice 8840
organization. 8841

All appointed members of the Committee shall be appointed 8842
by the specified appointing authority not later than thirty days 8843

after ~~the effective date of the amendments to this section~~ July 8844
1, 2015. All members of the Committee who are elected officials 8845
and whose term of office expires prior to January 1, ~~2016~~ 2017, 8846
shall serve until the expiration of their term of office. Any 8847
vacancy on the Committee shall be filled in the same manner as 8848
the original appointment. 8849

When the President of the Senate and the Speaker of the 8850
House of Representatives make their appointments to the 8851
Committee, they shall consider adequate representation by race 8852
and gender. 8853

(2) As used in division (A)(1) of this section: 8854

(a) "Community addiction services provider" and "community 8855
mental health services provider" have the same meanings as in 8856
section 5119.01 of the Revised Code. 8857

(b) "Community corrections programs" has the same meaning 8858
as in section 5149.30 of the Revised Code. 8859

(B) The Committee initially shall meet not later than 8860
sixty days after ~~the effective date of the amendments to this~~ 8861
~~section~~ July 1, 2015. At its initial meeting, the Committee 8862
shall organize, select a Chairperson and Vice-chairperson and 8863
any other necessary officers, and adopt rules to govern its 8864
proceedings. The Committee shall meet as necessary at the call 8865
of the Chairperson or on the written request of eight or more of 8866
its members. Thirteen members of the Committee constitute a 8867
quorum, and the votes of a majority of the quorum present shall 8868
be required to validate any action of the Committee. All 8869
business of the Committee shall be conducted in public meetings. 8870

The members of the Committee shall serve without 8871
compensation, but each member shall be reimbursed for the 8872

member's actual and necessary expenses incurred in the 8873
performance of the member's official duties on the Committee. In 8874
the absence of the Chairperson, the Vice-chairperson shall 8875
perform the duties of the Chairperson. 8876

(C) The Committee has the same powers as other standing or 8877
select committees of the General Assembly. The Committee may 8878
consult with, and seek and obtain research and technical 8879
services and support from, any individual, organization, 8880
association, college, or university. All state and local 8881
government agencies and entities shall cooperate with the 8882
Committee in the performance of its duties under this section 8883
and Section 729.11 of Am. Sub. H.B. 483 of the 130th General 8884
Assembly. 8885

Sec. 729.11. (A) The Criminal Justice Recodification 8886
Committee shall study the existing criminal statutes of this 8887
state, with the goal of enhancing public safety and the 8888
administration of criminal justice in Ohio by eliminating 8889
duplication in those statutes, aligning those statutes with the 8890
purpose of defining a culpable mental state for all crimes, 8891
removing or revising crimes included in those statutes for which 8892
no culpable mental state is provided, and other appropriate 8893
measures. The Committee shall use the results of its study to 8894
develop and recommend to the General Assembly a comprehensive 8895
plan for revising the state's Criminal Code that is consistent 8896
with those specified goals of the study. 8897

(B) Not later than ~~August 1, 2016~~ June 30, 2017, the 8898
Criminal Justice Recodification Committee shall recommend to the 8899
General Assembly a comprehensive plan for revising the state's 8900
Criminal Code that is consistent with the goals of the 8901
Committee's study that are specified in division (A) of this 8902

section. 8903

(C) Upon its submission to the General Assembly pursuant 8904
to division (B) of this section of its recommendations for a 8905
comprehensive plan for revising the state's Criminal Code, the 8906
Criminal Justice Recodification Committee shall cease to exist. 8907

Section 34. That existing Sections 729.10 and 729.11 of 8908
Am. Sub. H.B. 483 of the 130th General Assembly, as amended by 8909
Sub. H.B. 53 of the 131st General Assembly, are hereby repealed. 8910

Section 35. Section 149.43 of the Revised Code is 8911
presented in this act as a composite of the section as amended 8912
by Sub. H.B. 317, Sub. H.B. 359, and Sub. S.B. 321, all of the 8913
131st General Assembly. The General Assembly, applying the 8914
principle stated in division (B) of section 1.52 of the Revised 8915
Code that amendments are to be harmonized if reasonably capable 8916
of simultaneous operation, finds that the composite is the 8917
resulting version of the section in effect prior to the 8918
effective date of the section as presented in this act. 8919

Section 36. This act is declared to be an emergency 8920
measure necessary for the immediate preservation of the public 8921
peace, health, and safety. The reason for such necessity is to 8922
prevent the expiration of certain sections of law that will 8923
otherwise occur on December 31, 2016, and to continue the 8924
agencies being renewed in this act before their expiration on 8925
December 31, 2016. Therefore, this act goes into immediate 8926
effect. 8927