

JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO

SENATE

JOURNAL

THURSDAY, DECEMBER 8, 2016

TWO HUNDRED FORTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Thursday, December 8, 2016, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, Grace Baptist Church in Cedarville, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

The following guests were recognized by the Senate prior to the commencement of business:

Senator Faber requested the Senate observe a moment of silence to honor John Glenn.

Senator Faber recognized Bill Seitz for outstanding service to the Ohio Senate.

Senator Obhof recognized Senator Keith Faber for outstanding service to the Ohio Senate.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Bacon submitted the following report:

The standing committee on Civil Justice, to which was referred **Am. H. B. No. 451**-Representative Boose, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Bacon, Thomas.

YES - 11: JOHN EKLUND, WILLIAM P. COLEY, II, MICHAEL J. SKINDELL, CECIL THOMAS, SCOTT OELSLAGER, BOB D. HACKETT, JIM HUGHES, EDNA BROWN, KEVIN BACON, WILLIAM SEITZ, BOB PETERSON

NO - 0.

Senator Bacon submitted the following report:

The standing committee on Civil Justice, to which was referred **Sub. H. B. No. 463**-Representative Dever, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Coley, Bacon.

YES - 8: JOHN EKLUND, WILLIAM P. COLEY, II, WILLIAM SEITZ, BOB PETERSON, SCOTT OELSLAGER, KEVIN

BACON, BOB D. HACKETT, JIM HUGHES

NO - 3: MICHAEL J. SKINDELL, CECIL THOMAS, EDNA BROWN

Senator Balderson submitted the following report:

The standing committee on Energy and Natural Resources, to which was referred **Sub. H. B. No. 554**-Representative Amstutz, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 6: JAY HOTTINGER, THOMAS F. PATTON, WILLIAM SEITZ, JOE UECKER, SHANNON JONES, TROY BALDERSON

NO - 5: RANDY GARDNER, CLIFF HITE, SANDRA WILLIAMS, LOU GENTILE, JOSEPH SCHIAVONI

Senator Balderson submitted the following report:

The standing committee on Energy and Natural Resources, to which was referred **S. C. R. No. 16**-Senators Hottinger, Peterson, et al., having had the same under consideration, reports it back and recommends its adoption.

YES - 9: THOMAS F. PATTON, JOE UECKER, JAY HOTTINGER, RANDY GARDNER, TROY BALDERSON, SHANNON JONES, LOU GENTILE, SANDRA WILLIAMS, WILLIAM SEITZ

NO - 0.

Senator Faber submitted the following report:

The standing committee on Rules and Reference, to which was re-referred **Sub. H. B. No. 470**-Representative Schuring, et al., having had the same under consideration, re-reports back a substitute bill and recommends its passage.

YES - 13: KEITH FABER, LARRY OBHOF, THOMAS F. PATTON, GAYLE MANNING, DAVE BURKE, WILLIAM P. COLEY, II, CLIFF HITE, LOU GENTILE, EDNA BROWN, CHARLETA B. TAVARES, JOSEPH SCHIAVONI, JIM HUGHES, SCOTT OELSLAGER

NO - 0.

The question being, "Shall the reports of the committees be accepted?"
The reports of the committees were accepted.

Senator Faber submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

Cynthia A. Hafner, from Lewis Center, Delaware County, Ohio, as a Member of the Environmental Review Appeals Commission for a term beginning November 4, 2016 and ending at the close of business October 22, 2022, replacing Shaun K. Petersen, whose term expired.

Curt Steiner, from Columbus, Franklin County, Ohio, as a Member of the Broadcast Educational Media Commission for a new term beginning July 1, 2016 and ending at the close of business June 30, 2020, replacing Curt Steiner, whose term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 14: EDNA BROWN, DAVE BURKE, WILLIAM P. COLEY, II, KEITH FABER, LOU GENTILE, CLIFF HITE, JIM HUGHES, GAYLE MANNING, LARRY OBHOF, SCOTT OELSLAGER, THOMAS F. PATTON, BOB PETERSON, JOSEPH SCHIAVONI, CHARLETA B. TAVARES

NO – 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the Senate advised and consented to said appointments.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 139-Senators Seitz, Williams.

Cosponsors: Senators Tavares, Brown, LaRose, Eklund, Burke, Coley, Lehner, Manning, Schiavoni, Thomas. Representatives Antonio, Arndt, Boyd, Buchy, Dever, Fedor, Manning, Perales, Rezabek, Rogers, Sheehy, Sweeney.

To amend sections 2929.03, 2953.21, and 2953.23 of the Revised Code to require the clerk of a common pleas court to retain a copy of the original trial

file when a death penalty is imposed, to specify that there is no page limit on petitions for postconviction relief in death penalty cases or in appeals of denials of such relief, to modify the time for filing an amended postconviction relief petition in death penalty cases, to provide for depositions and subpoenas during discovery in postconviction relief proceedings in death penalty cases, and to require a judge hearing a postconviction relief proceeding in a death penalty case to state specifically in the findings of fact and conclusions of law why each claim was either denied or granted, were taken up.

The question being, “Shall the Senate concur in the amendments of the House of Representatives?”

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the Senate concurred in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 227-Senator Bacon.

Cosponsors: Senators Coley, Eklund, Faber, Hughes, Jones, Obhof, Patton, Seitz. Representatives Anielski, Hambley, Sweeney.

To amend sections 9.02, 109.08, 109.081, 109.43, 109.521, 109.57, 109.572, 109.578, 109.60, 1331.01, 1331.04, 1331.99, 1345.02, 1345.03, 1345.031, 1345.07, 1345.21, 1345.23, 1345.24, 1345.43, 1345.44, 1349.43, 1716.02, 1716.05, 1716.07, 2329.07, 2743.191, 2743.56, 2743.68, 2743.71, 2746.02, 2901.01, 2953.32, 2981.13, and 5302.221, to enact sections 9.28, 177.05, 1331.17, and 2945.63, and to repeal section 1331.05 of the Revised Code to make various changes to the laws governing the duties and functions of the Attorney General and to modify he judgment dormancy law, was taken up.

The question being, “Shall the Senate concur in the amendments of the House of Representatives?”

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger

Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the Senate concurred in the amendments of the House of Representatives.

REPORTS OF CONFERENCE COMMITTEES

Senator Coley submitted the following report:

The Committee of Conference to which the matters of difference between the two houses were referred on **Sub. H. B. No. 9**, Representative Boose - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

In line 1 of the title, delete ", 125.01, 125.071,"

In line 5 of the title, delete "and to"

Delete lines 6 through 8 of the title

In line 9 of the title, delete "approval"

In line 10, delete ", 125.01, 125.071,"

Delete lines 79 through 169

In line 357, delete ", 125.01, 125.071,"

Managers on the Part of the House of Representatives	Managers on the Part of the Senate
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/S/ TIM SCHAFFER
TIM SCHAFFER

/S/ WILLIAM P. COLEY, II
WILLIAM P. COLEY, II

/S/ TERRY BOOSE
TERRY BOOSE

/S/ BOB PETERSON
BOB PETERSON

/S/ JACK CERA
JACK CERA

/S/ CHARELTA B. TAVARES
CHARLETA B. TAVARES

Senator Obhof moved that the report of the Conference Committee on **H. B. No. 9**-Representative Boose - et al., be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the report of the Committee of Conference be agreed to?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the report of Committee of Conference was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 463-Representative Dever.

Cosponsors: Representatives Becker, Boccieri, Hambley, Perales, Sprague, Terhar, Leland, Anielski, Antonio, Arndt, Baker, Blessing, Brown, Buchy, Burkley, Celebrezze, Conditt, Craig, Dovilla, Duffey, Fedor, Ginter, Green, Grossman, Henne, Lepore-Hagan, Manning, McClain, McColley, O'Brien, M., O'Brien, S., Patterson, Reece, Reineke, Retherford, Ryan, Scherer, Schuring, Sheehy, Slaby, Slesnick, Smith, K., Strahorn, Sweeney, Young.

To amend sections 301.28, 323.47, 1303.38, 2303.26, 2327.01, 2327.02, 2327.04, 2329.01, 2329.151, 2329.17, 2329.18, 2329.19, 2329.20, 2329.21, 2329.26, 2329.271, 2329.28, 2329.30, 2329.31, 2329.33, 2329.34, 2329.39, 2329.45, 2329.52, 2329.56, 2909.07, 5302.01, 5721.371, and 5721.39 and to enact sections 2308.01, 2308.02, 2308.03, 2308.04, 2329.028, 2329.071, 2329.152, 2329.153, 2329.154, 2329.211, 2329.311, 2329.312, 5302.31, 5721.372, and 5721.373 of the Revised Code to establish expedited actions to foreclose mortgages on vacant and abandoned residential properties, to permit private selling officers to conduct judicial and execution sales of real property, to state the intent of the General Assembly regarding mortgage foreclosure actions, to revise the Commercial Paper Law relating to lost instruments, and to make other changes relative to foreclosure actions, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 463**, pass?"

Senator Obhof moved that **Sub. H. B. No. 463** be informally passed and retain its place on the calendar.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

Sub. H. B. No. 470-Representative Schuring.

Cosponsors: Representatives Bishoff, Brown, Johnson, T., Anielski, Antonio, Arndt, Baker, Barnes, Boyd, Craig, Curtin, Derickson, Dovilla, Grossman, Hambley, Lepore-Hagan, McClain, O'Brien, M., Patterson, Ramos, Rezabek, Rogers, Scherer, Sears, Slesnick, Sweeney, Young. Senators Cafaro, Brown,

Tavares.

To amend sections 109.57, 140.01, 140.08, 1337.11, 1739.05, 2133.01, 2317.54, 2929.14, 3701.881, 3712.01, 3712.09, 3721.01, 3795.01, 3795.03, 3963.01, 4719.01, 4723.36, 4723.481, 4723.487, 4729.43, 4730.202, 4730.411, 4730.53, 4731.055, 4731.228, 4752.02, and 5119.34 and to enact sections 1751.84, 3712.032, 3712.042, 3712.052, 3712.063, 3727.70, 3727.71, 3727.72, 3727.73, 3727.74, 3727.75, 3727.76, 3727.77, 3727.78, 3727.79, 3923.84, and 3795.04 of the Revised Code to establish requirements for the operation of palliative care facilities and requirements for hospital after-care and discharge planning, to prohibit assisting suicide, to require coverage for autism services, and to require the development of recommendations concerning the operation of memory care units, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 470**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Jones moved to amend the title as follows:

Add the names: "Senators Eklund, Faber, Hackett, Jones, Lehner, Manning, Oelslager, Seitz."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. H. B. No. 154-Representatives Henne, Sheehy.

Cosponsors: Representatives Stinziano, Grossman, Clyde, Perales, Duffey, Zeltwanger, Smith, K., Brenner, Lepore-Hagan, Fedor, Bishoff, Retherford, Antonio, Arndt, Ashford, Barnes, Boggs, Boyd, Brown, Celebrezze, Craig, Driehaus, Leland, Manning, O'Brien, M., O'Brien, S., Patterson, Phillips, Ramos, Rogers, Sprague, Strahorn, Sweeney. Senators Bacon, LaRose, Gentile.

To amend sections 4511.132 and 4511.27 of the Revised Code to provide that when a motor vehicle passes a bicycle the safe passing distance to the left is three feet or greater, and to alter the protocol for proceeding into an

intersection that has malfunctioning traffic lights, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 154**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schiavoni	Seitz
Skindell	Tavares	Thomas	Uecker
Williams			Faber-30

Senator Jordan voted in the negative-1.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator LaRose moved to amend the title as follows:

Add the names: "Senators Balderson, Skindell, Tavares, Thomas."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 172-Representative Barnes.

Cosponsors: Representatives Amstutz, Anielski, Antonio, Boccieri, Brown, Buchy, Dever, Fedor, Green, Hall, Hambley, Lepore-Hagan, Manning, Ramos, Reineke, Rezabek, Roegner, Rogers, Sheehy, Sprague, Sweeney, Terhar, Young. Senators Eklund, Hackett.

To amend sections 2951.041, 2953.38, and 3772.99 and to enact sections 2927.21 and 2953.521 of the Revised Code to prohibit a person engaged in publishing or disseminating criminal record information from soliciting or accepting a fee to remove, correct, modify, or refrain from publishing or otherwise disseminating the information; to provide criminal and civil remedies for a violation of that prohibition; to provide that a person found not guilty of an offense or named in a dismissed complaint, indictment, or information may apply to the court for an order to expunge the person's official records in the case if the charge or finding was the result of the applicant having been a victim of human trafficking; to generally permit a person convicted of certain prostitution-related offenses to apply for the expungement of any record of conviction of an offense if the person's participation was a result of having been a victim of human trafficking; to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution; and to specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated

casino facility, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 172**, pass?"

Senator Hottinger moved to amend as follows:

In line 1 of the title, after "sections" insert "1901.01, 1901.02, 1901.03, 1901.07, 1901.08, 1901.31, 1901.312, 1901.34, 1907.11,"

In line 25 of the title, delete "and"

In line 29 of the title, after "facility" insert "to create the Perry County Municipal Court in New Lexington and abolish the Perry County County Court on January 1, 2018, establish one full-time judgeship in that court with the judge to be elected in 2017, provide for the nomination of the judge by petition only, and designate the Perry County Clerk of Courts as the clerk of that court"

In line 30, after "sections" insert "1901.01, 1901.02, 1901.03, 1901.07, 1901.08, 1901.31, 1901.312, 1901.34, 1907.11,"

Between lines 32 and 33, insert:

"Sec. 1901.01. (A) There is hereby established a municipal court in each of the following municipal corporations:

Akron, Alliance, Ashland, Ashtabula, Athens, Avon Lake, Barberton, Bedford, Bellefontaine, Bellevue, Berea, Bowling Green, Bryan, Bucyrus, Cambridge, Campbell, Canton, Carrollton, Celina, Chardon, Chesapeake, Chillicothe, Cincinnati, Circleville, Cleveland, Cleveland Heights, Columbus, Conneaut, Coshocton, Cuyahoga Falls, Dayton, Defiance, Delaware, East Cleveland, East Liverpool, Eaton, Elyria, Euclid, Fairborn, Fairfield, Findlay, Franklin, Fremont, Gallipolis, Garfield Heights, Georgetown, Girard, Greenville, Hamilton, Hillsboro, Huron, Ironton, Jackson, Kenton, Kettering, Lakewood, Lancaster, Lebanon, Lima, Logan, London, Lorain, Lyndhurst, Mansfield, Marietta, Marion, Marysville, Mason, Massillon, Maumee, Medina, Mentor, Miamisburg, Middletown, Millersburg, Mount Gilead, Mount Vernon, Napoleon, Newark, New Lexington, New Philadelphia, Newton Falls, Niles, Norwalk, Oakwood, Oberlin, Oregon, Ottawa, Painesville, Parma, Perrysburg, Port Clinton, Portsmouth, Ravenna, Rocky River, Sandusky, Shaker Heights, Shelby, Sidney, South Euclid, Springfield, Steubenville, Struthers, Sylvania, Tiffin, Toledo, Troy, Upper Sandusky, Urbana, Vandalia, Van Wert, Vermilion, Wadsworth, Wapakoneta, Warren, City of Washington in Fayette county, to be known as Washington Court House, Willoughby, Wilmington, Wooster, Xenia, Youngstown, and Zanesville.

(B) There is hereby established a municipal court within Clermont county in Batavia or in any other municipal corporation or unincorporated territory within Clermont county that is selected by the legislative authority

of the Clermont county municipal court. The municipal court established by this division is a continuation of the municipal court previously established in Batavia by this section before the enactment of this division.

(C) There is hereby established a municipal court within Columbiana county in Lisbon or in any other municipal corporation or unincorporated territory within Columbiana county, except the municipal corporation of East Liverpool or Liverpool or St. Clair township, that is selected by the judges of the municipal court pursuant to division (I) of section 1901.021 of the Revised Code.

(D) Effective January 1, 2008, there is hereby established a municipal court within Erie county in Milan or in any other municipal corporation or unincorporated territory within Erie county that is within the territorial jurisdiction of the Erie county municipal court and is selected by the legislative authority of that court.

(E) The Cuyahoga Falls municipal court shall remain in existence until December 31, 2008, and shall be replaced by the Stow municipal court on January 1, 2009.

(F) Effective January 1, 2009, there is hereby established a municipal court in the municipal corporation of Stow.

(G) Effective July 1, 2010, there is hereby established a municipal court within Montgomery county in any municipal corporation or unincorporated territory within Montgomery county, except the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West Carrollton and Butler, German, Harrison, Miami, and Washington townships, that is selected by the legislative authority of that court.

(H) Effective January 1, 2013, there is hereby established a municipal court within Sandusky county in any municipal corporation or unincorporated territory within Sandusky county, except the municipal corporations of Bellevue and Fremont and Ballville, Sandusky, and York townships, that is selected by the legislative authority of that court.

Sec. 1901.02. (A) The municipal courts established by section 1901.01 of the Revised Code have jurisdiction within the corporate limits of their respective municipal corporations, or, for the Clermont county municipal court, the Columbiana county municipal court, and, effective January 1, 2008, the Erie county municipal court, within the municipal corporation or unincorporated territory in which they are established, and are courts of record. Each of the courts shall be styled "..... municipal court," inserting the name of the municipal corporation, except the following courts, which shall be styled as set forth below:

(1) The municipal court established in Chesapeake that shall be styled

and known as the "Lawrence county municipal court";

(2) The municipal court established in Cincinnati that shall be styled and known as the "Hamilton county municipal court";

(3) The municipal court established in Ravenna that shall be styled and known as the "Portage county municipal court";

(4) The municipal court established in Athens that shall be styled and known as the "Athens county municipal court";

(5) The municipal court established in Columbus that shall be styled and known as the "Franklin county municipal court";

(6) The municipal court established in London that shall be styled and known as the "Madison county municipal court";

(7) The municipal court established in Newark that shall be styled and known as the "Licking county municipal court";

(8) The municipal court established in Wooster that shall be styled and known as the "Wayne county municipal court";

(9) The municipal court established in Wapakoneta that shall be styled and known as the "Auglaize county municipal court";

(10) The municipal court established in Troy that shall be styled and known as the "Miami county municipal court";

(11) The municipal court established in Bucyrus that shall be styled and known as the "Crawford county municipal court";

(12) The municipal court established in Logan that shall be styled and known as the "Hocking county municipal court";

(13) The municipal court established in Urbana that shall be styled and known as the "Champaign county municipal court";

(14) The municipal court established in Jackson that shall be styled and known as the "Jackson county municipal court";

(15) The municipal court established in Springfield that shall be styled and known as the "Clark county municipal court";

(16) The municipal court established in Kenton that shall be styled and known as the "Hardin county municipal court";

(17) The municipal court established within Clermont county in Batavia or in any other municipal corporation or unincorporated territory within Clermont county that is selected by the legislative authority of that court that shall be styled and known as the "Clermont county municipal court";

(18) The municipal court established in Wilmington that, beginning July 1, 1992, shall be styled and known as the "Clinton county municipal

court";

(19) The municipal court established in Port Clinton that shall be styled and known as the "Ottawa county municipal court";

(20) The municipal court established in Lancaster that, beginning January 2, 2000, shall be styled and known as the "Fairfield county municipal court";

(21) The municipal court established within Columbiana county in Lisbon or in any other municipal corporation or unincorporated territory selected pursuant to division (I) of section 1901.021 of the Revised Code, that shall be styled and known as the "Columbiana county municipal court";

(22) The municipal court established in Georgetown that, beginning February 9, 2003, shall be styled and known as the "Brown county municipal court";

(23) The municipal court established in Mount Gilead that, beginning January 1, 2003, shall be styled and known as the "Morrow county municipal court";

(24) The municipal court established in Greenville that, beginning January 1, 2005, shall be styled and known as the "Darke county municipal court";

(25) The municipal court established in Millersburg that, beginning January 1, 2007, shall be styled and known as the "Holmes county municipal court";

(26) The municipal court established in Carrollton that, beginning January 1, 2007, shall be styled and known as the "Carroll county municipal court";

(27) The municipal court established within Erie county in Milan or established in any other municipal corporation or unincorporated territory that is within Erie county, is within the territorial jurisdiction of that court, and is selected by the legislative authority of that court that, beginning January 1, 2008, shall be styled and known as the "Erie county municipal court";

(28) The municipal court established in Ottawa that, beginning January 1, 2011, shall be styled and known as the "Putnam county municipal court";

(29) The municipal court established within Montgomery county in any municipal corporation or unincorporated territory within Montgomery county, except the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West Carrollton and Butler, German, Harrison, Miami, and Washington townships, that is selected by the legislative authority of that

court and that, beginning July 1, 2010, shall be styled and known as the "Montgomery county municipal court";

(30) The municipal court established within Sandusky county in any municipal corporation or unincorporated territory within Sandusky county, except the municipal corporations of Bellevue and Fremont and Ballville, Sandusky, and York townships, that is selected by the legislative authority of that court and that, beginning January 1, 2013, shall be styled and known as the "Sandusky county municipal court";

(31) The municipal court established in Tiffin that, beginning January 1, 2014, shall be styled and known as the "Tiffin-Fostoria municipal court";

(32) The municipal court established in New Lexington that, beginning January 1, 2018, shall be styled and known as the "Perry county municipal court."

(B) In addition to the jurisdiction set forth in division (A) of this section, the municipal courts established by section 1901.01 of the Revised Code have jurisdiction as follows:

The Akron municipal court has jurisdiction within Bath, Richfield, and Springfield townships, and within the municipal corporations of Fairlawn, Lakemore, and Mogadore, in Summit county.

The Alliance municipal court has jurisdiction within Lexington, Marlboro, Paris, and Washington townships in Stark county.

The Ashland municipal court has jurisdiction within Ashland county.

The Ashtabula municipal court has jurisdiction within Ashtabula, Plymouth, and Saybrook townships in Ashtabula county.

The Athens county municipal court has jurisdiction within Athens county.

The Auglaize county municipal court has jurisdiction within Auglaize county.

The Avon Lake municipal court has jurisdiction within the municipal corporations of Avon and Sheffield in Lorain county.

The Barberton municipal court has jurisdiction within Coventry, Franklin, and Green townships, within all of Copley township except within the municipal corporation of Fairlawn, and within the municipal corporations of Clinton and Norton, in Summit county.

The Bedford municipal court has jurisdiction within the municipal corporations of Bedford Heights, Oakwood, Glenwillow, Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange, Warrensville Heights, North Randall, and Woodmere, and within Warrensville and Chagrin Falls townships, in Cuyahoga county.

The Bellefontaine municipal court has jurisdiction within Logan county.

The Bellevue municipal court has jurisdiction within Lyme and Sherman townships in Huron county and within York township in Sandusky county.

The Berea municipal court has jurisdiction within the municipal corporations of Strongsville, Middleburgh Heights, Brook Park, Westview, and Olmsted Falls, and within Olmsted township, in Cuyahoga county.

The Bowling Green municipal court has jurisdiction within the municipal corporations of Bairdstown, Bloomdale, Bradner, Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City, Milton Center, North Baltimore, Pemberville, Portage, Rising Sun, Tontogany, Wayne, West Millgrove, and Weston, and within Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, Middleton, Milton, Montgomery, Plain, Portage, Washington, Webster, and Weston townships in Wood county.

Beginning February 9, 2003, the Brown county municipal court has jurisdiction within Brown county.

The Bryan municipal court has jurisdiction within Williams county.

The Cambridge municipal court has jurisdiction within Guernsey county.

The Campbell municipal court has jurisdiction within Coitsville township in Mahoning county.

The Canton municipal court has jurisdiction within Canton, Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in Stark county.

The Carroll county municipal court has jurisdiction within Carroll county.

The Celina municipal court has jurisdiction within Mercer county.

The Champaign county municipal court has jurisdiction within Champaign county.

The Chardon municipal court has jurisdiction within Geauga county.

The Chillicothe municipal court has jurisdiction within Ross county.

The Circleville municipal court has jurisdiction within Pickaway county.

The Clark county municipal court has jurisdiction within Clark county.

The Clermont county municipal court has jurisdiction within Clermont county.

The Cleveland municipal court has jurisdiction within the municipal

corporation of Bratenahl in Cuyahoga county.

Beginning July 1, 1992, the Clinton county municipal court has jurisdiction within Clinton county.

The Columbiana county municipal court has jurisdiction within all of Columbiana county except within the municipal corporation of East Liverpool and except within Liverpool and St. Clair townships.

The Coshocton municipal court has jurisdiction within Coshocton county.

The Crawford county municipal court has jurisdiction within Crawford county.

Until December 31, 2008, the Cuyahoga Falls municipal court has jurisdiction within Boston, Hudson, Northfield Center, Sagamore Hills, and Twinsburg townships, and within the municipal corporations of Boston Heights, Hudson, Munroe Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, Tallmadge, Twinsburg, and Macedonia, in Summit county.

Beginning January 1, 2005, the Darke county municipal court has jurisdiction within Darke county except within the municipal corporation of Bradford.

The Defiance municipal court has jurisdiction within Defiance county.

The Delaware municipal court has jurisdiction within Delaware county.

The East Liverpool municipal court has jurisdiction within Liverpool and St. Clair townships in Columbiana county.

The Eaton municipal court has jurisdiction within Preble county.

The Elyria municipal court has jurisdiction within the municipal corporations of Grafton, LaGrange, and North Ridgeville, and within Elyria, Carlisle, Eaton, Columbia, Grafton, and LaGrange townships, in Lorain county.

Beginning January 1, 2008, the Erie county municipal court has jurisdiction within Erie county except within the townships of Florence, Huron, Perkins, and Vermilion and the municipal corporations of Bay View, Castalia, Huron, Sandusky, and Vermilion.

The Fairborn municipal court has jurisdiction within the municipal corporation of Beaver creek and within Bath and Beaver creek townships in Greene county.

Beginning January 2, 2000, the Fairfield county municipal court has jurisdiction within Fairfield county.

The Findlay municipal court has jurisdiction within all of Hancock

county except within Washington township.

The Franklin municipal court has jurisdiction within Franklin township in Warren county.

The Franklin county municipal court has jurisdiction within Franklin county.

The Fremont municipal court has jurisdiction within Ballville and Sandusky townships in Sandusky county.

The Gallipolis municipal court has jurisdiction within Gallia county.

The Garfield Heights municipal court has jurisdiction within the municipal corporations of Maple Heights, Walton Hills, Valley View, Cuyahoga Heights, Newburgh Heights, Independence, and Brecksville in Cuyahoga county.

The Girard municipal court has jurisdiction within Liberty, Vienna, and Hubbard townships in Trumbull county.

The Hamilton municipal court has jurisdiction within Ross and St. Clair townships in Butler county.

The Hamilton county municipal court has jurisdiction within Hamilton county.

The Hardin county municipal court has jurisdiction within Hardin county.

The Hillsboro municipal court has jurisdiction within all of Highland county except within Madison township.

The Hocking county municipal court has jurisdiction within Hocking county.

The Holmes county municipal court has jurisdiction within Holmes county.

The Huron municipal court has jurisdiction within all of Huron township in Erie county except within the municipal corporation of Sandusky.

The Ironton municipal court has jurisdiction within Aid, Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington townships in Lawrence county.

The Jackson county municipal court has jurisdiction within Jackson county.

The Kettering municipal court has jurisdiction within the municipal corporations of Centerville and Moraine, and within Washington township, in Montgomery county.

Until January 2, 2000, the Lancaster municipal court has jurisdiction

within Fairfield county.

The Lawrence county municipal court has jurisdiction within the townships of Fayette, Mason, Perry, Rome, Symmes, Union, and Windsor in Lawrence county.

The Lebanon municipal court has jurisdiction within Turtlecreek township in Warren county.

The Licking county municipal court has jurisdiction within Licking county.

The Lima municipal court has jurisdiction within Allen county.

The Lorain municipal court has jurisdiction within the municipal corporation of Sheffield Lake, and within Sheffield township, in Lorain county.

The Lyndhurst municipal court has jurisdiction within the municipal corporations of Mayfield Heights, Gates Mills, Mayfield, Highland Heights, and Richmond Heights in Cuyahoga county.

The Madison county municipal court has jurisdiction within Madison county.

The Mansfield municipal court has jurisdiction within Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy, Washington, Monroe, Perry, Jefferson, and Worthington townships, and within sections 35-36-31 and 32 of Butler township, in Richland county.

The Marietta municipal court has jurisdiction within Washington county.

The Marion municipal court has jurisdiction within Marion county.

The Marysville municipal court has jurisdiction within Union county.

The Mason municipal court has jurisdiction within Deerfield township in Warren county.

The Massillon municipal court has jurisdiction within Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson townships in Stark county.

The Maumee municipal court has jurisdiction within the municipal corporations of Waterville and Whitehouse, within Waterville and Providence townships, and within those portions of Springfield, Monclova, and Swanton townships lying south of the northerly boundary line of the Ohio turnpike, in Lucas county.

The Medina municipal court has jurisdiction within the municipal corporations of Briarwood Beach, Brunswick, Chippewa-on-the-Lake, and Spencer and within the townships of Brunswick Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield, Liverpool, Medina, Montville, Spencer, and

York townships, in Medina county.

The Mentor municipal court has jurisdiction within the municipal corporation of Mentor-on-the-Lake in Lake county.

The Miami county municipal court has jurisdiction within Miami county and within the part of the municipal corporation of Bradford that is located in Darke county.

The Miamisburg municipal court has jurisdiction within the municipal corporations of Germantown and West Carrollton, and within German and Miami townships in Montgomery county.

The Middletown municipal court has jurisdiction within Madison township, and within all of Lemon township, except within the municipal corporation of Monroe, in Butler county.

Beginning July 1, 2010, the Montgomery county municipal court has jurisdiction within all of Montgomery county except for the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West Carrollton and Butler, German, Harrison, Miami, and Washington townships.

Beginning January 1, 2003, the Morrow county municipal court has jurisdiction within Morrow county.

The Mount Vernon municipal court has jurisdiction within Knox county.

The Napoleon municipal court has jurisdiction within Henry county.

The New Philadelphia municipal court has jurisdiction within the municipal corporation of Dover, and within Auburn, Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover, Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in Tuscarawas county.

The Newton Falls municipal court has jurisdiction within Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington, Farmington, and Mesopotamia townships in Trumbull county.

The Niles municipal court has jurisdiction within the municipal corporation of McDonald, and within Weathersfield township in Trumbull county.

The Norwalk municipal court has jurisdiction within all of Huron county except within the municipal corporation of Bellevue and except within Lyme and Sherman townships.

The Oberlin municipal court has jurisdiction within the municipal corporations of Amherst, Kipton, Rochester, South Amherst, and Wellington, and within Henrietta, Russia, Camden, Pittsfield, Brighton, Wellington, Penfield, Rochester, and Huntington townships, and within all of Amherst township except within the municipal corporation of Lorain, in Lorain

county.

The Oregon municipal court has jurisdiction within the municipal corporation of Harbor View, and within Jerusalem township, in Lucas county, and north within Maumee Bay and Lake Erie to the boundary line between Ohio and Michigan between the easterly boundary of the court and the easterly boundary of the Toledo municipal court.

The Ottawa county municipal court has jurisdiction within Ottawa county.

The Painesville municipal court has jurisdiction within Painesville, Perry, Leroy, Concord, and Madison townships in Lake county.

The Parma municipal court has jurisdiction within the municipal corporations of Parma Heights, Brooklyn, Linndale, North Royalton, Broadview Heights, Seven Hills, and Brooklyn Heights in Cuyahoga county.

Beginning January 1, 2018, the Perry county municipal court has jurisdiction within Perry county.

The Perrysburg municipal court has jurisdiction within the municipal corporations of Luckey, Millbury, Northwood, Rossford, and Walbridge, and within Perrysburg, Lake, and Troy townships, in Wood county.

The Portage county municipal court has jurisdiction within Portage county.

The Portsmouth municipal court has jurisdiction within Scioto county.

The Putnam county municipal court has jurisdiction within Putnam county.

The Rocky River municipal court has jurisdiction within the municipal corporations of Bay Village, Westlake, Fairview Park, and North Olmsted, and within Riveredge township, in Cuyahoga county.

The Sandusky municipal court has jurisdiction within the municipal corporations of Castalia and Bay View, and within Perkins township, in Erie county.

Beginning January 1, 2013, the Sandusky county municipal court has jurisdiction within all of Sandusky county except within the municipal corporations of Bellevue and Fremont and Ballville, Sandusky, and York townships.

The Shaker Heights municipal court has jurisdiction within the municipal corporations of University Heights, Beachwood, Pepper Pike, and Hunting Valley in Cuyahoga county.

The Shelby municipal court has jurisdiction within Sharon, Jackson, Cass, Plymouth, and Blooming Grove townships, and within all of Butler

township except sections 35-36-31 and 32, in Richland county.

The Sidney municipal court has jurisdiction within Shelby county.

Beginning January 1, 2009, the Stow municipal court has jurisdiction within Boston, Hudson, Northfield Center, Sagamore Hills, and Twinsburg townships, and within the municipal corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, Tallmadge, Twinsburg, and Macedonia, in Summit county.

The Struthers municipal court has jurisdiction within the municipal corporations of Lowellville, New Middleton, and Poland, and within Poland and Springfield townships in Mahoning county.

The Sylvania municipal court has jurisdiction within the municipal corporations of Berkey and Holland, and within Sylvania, Richfield, Spencer, and Harding townships, and within those portions of Swanton, Monclova, and Springfield townships lying north of the northerly boundary line of the Ohio turnpike, in Lucas county.

Beginning January 1, 2014, the Tiffin-Fostoria municipal court has jurisdiction within Adams, Big Spring, Bloom, Clinton, Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, Scipio, Seneca, Thompson, and Venice townships in Seneca county, within Washington township in Hancock county, and within Perry township, except within the municipal corporation of West Millgrove, in Wood county.

The Toledo municipal court has jurisdiction within Washington township, and within the municipal corporation of Ottawa Hills, in Lucas county.

The Upper Sandusky municipal court has jurisdiction within Wyandot county.

The Vandalia municipal court has jurisdiction within the municipal corporations of Clayton, Englewood, and Union, and within Butler, Harrison, and Randolph townships, in Montgomery county.

The Van Wert municipal court has jurisdiction within Van Wert county.

The Vermilion municipal court has jurisdiction within the townships of Vermilion and Florence in Erie county and within all of Brownhelm township except within the municipal corporation of Lorain, in Lorain county.

The Wadsworth municipal court has jurisdiction within the municipal corporations of Gloria Glens Park, Lodi, Seville, and Westfield Center, and within Guilford, Harrisville, Homer, Sharon, Wadsworth, and Westfield townships in Medina county.

The Warren municipal court has jurisdiction within Warren and Champion townships, and within all of Howland township except within the municipal corporation of Niles, in Trumbull county.

The Washington Court House municipal court has jurisdiction within Fayette county.

The Wayne county municipal court has jurisdiction within Wayne county.

The Willoughby municipal court has jurisdiction within the municipal corporations of Eastlake, Wickliffe, Willowick, Willoughby Hills, Kirtland, Kirtland Hills, Waite Hill, Timberlake, and Lakeline, and within Kirtland township, in Lake county.

Through June 30, 1992, the Wilmington municipal court has jurisdiction within Clinton county.

The Xenia municipal court has jurisdiction within Caesar creek, Cedarville, Jefferson, Miami, New Jasper, Ross, Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in Greene county.

(C) As used in this section:

(1) "Within a township" includes all land, including, but not limited to, any part of any municipal corporation, that is physically located within the territorial boundaries of that township, whether or not that land or municipal corporation is governmentally a part of the township.

(2) "Within a municipal corporation" includes all land within the territorial boundaries of the municipal corporation and any townships that are coextensive with the municipal corporation.

Sec. 1901.03. As used in this chapter:

(A) "Territory" means the geographical areas within which municipal courts have jurisdiction as provided in sections 1901.01 and 1901.02 of the Revised Code.

(B) "Legislative authority" means the legislative authority of the municipal corporation in which a municipal court, other than a county-operated municipal court, is located, and means the respective board of county commissioners of the county in which a county-operated municipal court is located.

(C) "Chief executive" means the chief executive of the municipal corporation in which a municipal court, other than a county-operated municipal court, is located, and means the respective chairman of the board of county commissioners of the county in which a county-operated municipal court is located.

(D) "City treasury" means the treasury of the municipal corporation in which a municipal court, other than a county-operated municipal court, is

located.

(E) "City treasurer" means the treasurer of the municipal corporation in which a municipal court, other than a county-operated municipal court, is located.

(F) "County-operated municipal court" means the Auglaize county, Brown county, Carroll county, Clermont county, Columbiana county, Crawford county, Darke county, Erie county, Hamilton county, Hocking county, Holmes county, Jackson county, Lawrence county, Madison county, Miami county, Montgomery county, Morrow county, Ottawa county, Portage county, Putnam county, or Wayne county municipal court and, effective January 1, ~~2013~~ 2018, also includes the ~~Sandusky-Perry~~ county municipal court.

(G) "A municipal corporation in which a municipal court is located" includes each municipal corporation named in section 1901.01 of the Revised Code, but does not include one in which a judge sits pursuant to any provision of section 1901.021 of the Revised Code except division (M) of that section.

Sec. 1901.07. (A) All municipal court judges shall be elected on the nonpartisan ballot for terms of six years. In a municipal court in which only one judge is to be elected in any one year, that judge's term commences on the first day of January after the election. In a municipal court in which two or more judges are to be elected in any one year, their terms commence on successive days beginning the first day of January, following the election, unless otherwise provided by section 1901.08 of the Revised Code.

(B) All candidates for municipal court judge may be nominated either by nominating petition or by primary election, except that if the jurisdiction of a municipal court extends only to the corporate limits of the municipal corporation in which the court is located and that municipal corporation operates under a charter, all candidates shall be nominated in the same manner provided in the charter for the office of municipal court judge or, if no specific provisions are made in the charter for the office of municipal court judge, in the same manner as the charter prescribes for the nomination and election of the legislative authority of the municipal corporation.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, all candidates for party nomination to the office of municipal court judge shall file a declaration of candidacy and petition not later than four p.m. of the ninetieth day before the day of the primary election in the form prescribed by section 3513.07 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section

3513.05 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court. If no valid declaration of candidacy is filed for nomination as a candidate of a political party for election to the office of municipal court judge, or if the number of persons filing the declarations of candidacy for nominations as candidates of one political party for election to the office does not exceed the number of candidates that that party is entitled to nominate as its candidates for election to the office, no primary election shall be held for the purpose of nominating candidates of that party for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, nonpartisan candidates for the office of municipal court judge shall file nominating petitions not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.257 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court.

The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal corporation operating under a charter, all candidates for municipal court judge shall be elected in conformity with the charter if provisions are made in the charter for the election of municipal court judges.

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of

common pleas.

(2) In the Toledo municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Toledo for filing nominating petitions for city council. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(3) In the Akron municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Akron for filing nominating petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(4) In the Hamilton county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least one hundred electors of the judicial district of the county from which the candidate seeks election, which petitions shall be signed and filed not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. Unless otherwise provided in this section, the petition shall conform to the requirements provided for nominating petitions in section 3513.257 of the Revised Code. The judges shall be elected by the electors of the relative judicial district of the county at the regular municipal election and in the manner provided by law for the election of judges of the court of common pleas.

(5) In the Franklin county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. The petition shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Columbus for filing petitions of candidates for municipal offices. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Perry, Putnam, Sandusky, and Wayne county municipal courts, the judges shall be nominated only by petition. The petitions shall be signed by at least fifty electors of the territory

of the court and shall conform to the provisions of this section.

(D) In the Portage county municipal court, the judges shall be nominated either by nominating petition or by primary election, as provided in division (B) of this section.

(E) As used in this section, as to an election for either a full or an unexpired term, "the territory within the jurisdiction of the court" means that territory as it will be on the first day of January after the election.

Sec. 1901.08. The number of, and the time for election of, judges of the following municipal courts and the beginning of their terms shall be as follows:

In the Akron municipal court, two full-time judges shall be elected in 1951, two full-time judges shall be elected in 1953, one full-time judge shall be elected in 1967, and one full-time judge shall be elected in 1975.

In the Alliance municipal court, one full-time judge shall be elected in 1953.

In the Ashland municipal court, one full-time judge shall be elected in 1951.

In the Ashtabula municipal court, one full-time judge shall be elected in 1953.

In the Athens county municipal court, one full-time judge shall be elected in 1967.

In the Auglaize county municipal court, one full-time judge shall be elected in 1975.

In the Avon Lake municipal court, one full-time judge shall be elected in 2017. On and after ~~the effective date of this amendment~~ September 15, 2014, the part-time judge of the Avon Lake municipal court who was elected in 2011 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2017.

In the Barberton municipal court, one full-time judge shall be elected in 1969, and one full-time judge shall be elected in 1971.

In the Bedford municipal court, one full-time judge shall be elected in 1975, and one full-time judge shall be elected in 1979.

In the Bellefontaine municipal court, one full-time judge shall be elected in 1993.

In the Bellevue municipal court, one part-time judge shall be elected in 1951.

In the Berea municipal court, one full-time judge shall be elected in 2005.

In the Bowling Green municipal court, one full-time judge shall be

elected in 1983.

In the Brown county municipal court, one full-time judge shall be elected in 2005. Beginning February 9, 2003, the part-time judge of the Brown county county court that existed prior to that date whose term commenced on January 2, 2001, shall serve as the full-time judge of the Brown county municipal court until December 31, 2005.

In the Bryan municipal court, one full-time judge shall be elected in 1965.

In the Cambridge municipal court, one full-time judge shall be elected in 1951.

In the Campbell municipal court, one part-time judge shall be elected in 1963.

In the Canton municipal court, one full-time judge shall be elected in 1951, one full-time judge shall be elected in 1969, and two full-time judges shall be elected in 1977.

In the Carroll county municipal court, one full-time judge shall be elected in 2009. Beginning January 1, 2007, the judge elected in 2006 to the part-time judgeship of the Carroll county county court that existed prior to that date shall serve as the full-time judge of the Carroll county municipal court until December 31, 2009.

In the Celina municipal court, one full-time judge shall be elected in 1957.

In the Champaign county municipal court, one full-time judge shall be elected in 2001.

In the Chardon municipal court, one full-time judge shall be elected in 1963.

In the Chillicothe municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1977.

In the Circleville municipal court, one full-time judge shall be elected in 1953.

In the Clark county municipal court, one full-time judge shall be elected in 1989, and two full-time judges shall be elected in 1991. The full-time judges of the Springfield municipal court who were elected in 1983 and 1985 shall serve as the judges of the Clark county municipal court from January 1, 1988, until the end of their respective terms.

In the Clermont county municipal court, two full-time judges shall be elected in 1991, and one full-time judge shall be elected in 1999.

In the Cleveland municipal court, six full-time judges shall be elected in 1975, three full-time judges shall be elected in 1953, and four full-time

judges shall be elected in 1955.

In the Cleveland Heights municipal court, one full-time judge shall be elected in 1957.

In the Clinton county municipal court, one full-time judge shall be elected in 1997. The full-time judge of the Wilmington municipal court who was elected in 1991 shall serve as the judge of the Clinton county municipal court from July 1, 1992, until the end of that judge's term on December 31, 1997.

In the Columbiana county municipal court, two full-time judges shall be elected in 2001.

In the Conneaut municipal court, one full-time judge shall be elected in 1953.

In the Coshocton municipal court, one full-time judge shall be elected in 1951.

In the Crawford county municipal court, one full-time judge shall be elected in 1977.

In the Cuyahoga Falls municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 1967. Effective December 31, 2008, the Cuyahoga Falls municipal court shall cease to exist; however, the judges of the Cuyahoga Falls municipal court who were elected pursuant to this section in 2003 and 2007 for terms beginning on January 1, 2004, and January 1, 2008, respectively, shall serve as full-time judges of the Stow municipal court until December 31, 2009, and December 31, 2013, respectively.

In the Darke county municipal court, one full-time judge shall be elected in 2005. Beginning January 1, 2005, the part-time judge of the Darke county county court that existed prior to that date whose term began on January 1, 2001, shall serve as the full-time judge of the Darke county municipal court until December 31, 2005.

In the Dayton municipal court, three full-time judges shall be elected in 1987, their terms to commence on successive days beginning on the first day of January next after their election, and two full-time judges shall be elected in 1955, their terms to commence on successive days beginning on the second day of January next after their election.

In the Defiance municipal court, one full-time judge shall be elected in 1957.

In the Delaware municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 2007.

In the East Cleveland municipal court, one full-time judge shall be elected in 1957.

In the East Liverpool municipal court, one full-time judge shall be elected in 1953.

In the Eaton municipal court, one full-time judge shall be elected in 1973.

In the Elyria municipal court, one full-time judge shall be elected in 1955, and one full-time judge shall be elected in 1973.

In the Erie county municipal court, one full-time judge shall be elected in 2007.

In the Euclid municipal court, one full-time judge shall be elected in 1951.

In the Fairborn municipal court, one full-time judge shall be elected in 1977.

In the Fairfield county municipal court, one full-time judge shall be elected in 2003, and one full-time judge shall be elected in 2005.

In the Fairfield municipal court, one full-time judge shall be elected in 1989.

In the Findlay municipal court, one full-time judge shall be elected in 1955, and one full-time judge shall be elected in 1993.

In the Franklin municipal court, one part-time judge shall be elected in 1951.

In the Franklin county municipal court, two full-time judges shall be elected in 1969, three full-time judges shall be elected in 1971, seven full-time judges shall be elected in 1967, one full-time judge shall be elected in 1975, one full-time judge shall be elected in 1991, and one full-time judge shall be elected in 1997.

In the Fremont municipal court, one full-time judge shall be elected in 1975.

In the Gallipolis municipal court, one full-time judge shall be elected in 1981.

In the Garfield Heights municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1981.

In the Girard municipal court, one full-time judge shall be elected in 1963.

In the Hamilton municipal court, one full-time judge shall be elected in 1953.

In the Hamilton county municipal court, five full-time judges shall be elected in 1967, five full-time judges shall be elected in 1971, two full-time judges shall be elected in 1981, and two full-time judges shall be elected in 1983. All terms of judges of the Hamilton county municipal court shall

commence on the first day of January next after their election, except that the terms of the additional judges to be elected in 1981 shall commence on January 2, 1982, and January 3, 1982, and that the terms of the additional judges to be elected in 1983 shall commence on January 4, 1984, and January 5, 1984.

In the Hardin county municipal court, one part-time judge shall be elected in 1989.

In the Hillsboro municipal court, one full-time judge shall be elected in 2011. On and after December 30, 2008, the part-time judge of the Hillsboro municipal court who was elected in 2005 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2011.

In the Hocking county municipal court, one full-time judge shall be elected in 1977.

In the Holmes county municipal court, one full-time judge shall be elected in 2007. Beginning January 1, 2007, the part-time judge of the Holmes county county court that existed prior to that date whose term commenced on January 1, 2007, shall serve as the full-time judge of the Holmes county municipal court until December 31, 2007.

In the Huron municipal court, one part-time judge shall be elected in 1967.

In the Ironton municipal court, one full-time judge shall be elected in 1951.

In the Jackson county municipal court, one full-time judge shall be elected in 2001. On and after March 31, 1997, the part-time judge of the Jackson county municipal court who was elected in 1995 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2001.

In the Kettering municipal court, one full-time judge shall be elected in 1971, and one full-time judge shall be elected in 1975.

In the Lakewood municipal court, one full-time judge shall be elected in 1955.

In the Lancaster municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1979. Beginning January 2, 2000, the full-time judges of the Lancaster municipal court who were elected in 1997 and 1999 shall serve as judges of the Fairfield county municipal court until the end of those judges' terms.

In the Lawrence county municipal court, one part-time judge shall be elected in 1981.

In the Lebanon municipal court, one part-time judge shall be elected in 1955.

In the Licking county municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1971.

In the Lima municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1967.

In the Lorain municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 1973.

In the Lyndhurst municipal court, one full-time judge shall be elected in 1957.

In the Madison county municipal court, one full-time judge shall be elected in 1981.

In the Mansfield municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1969.

In the Marietta municipal court, one full-time judge shall be elected in 1957.

In the Marion municipal court, one full-time judge shall be elected in 1951.

In the Marysville municipal court, one full-time judge shall be elected in 2011. On and after January 18, 2007, the part-time judge of the Marysville municipal court who was elected in 2005 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2011.

In the Mason municipal court, one part-time judge shall be elected in 1965.

In the Massillon municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 1971.

In the Maumee municipal court, one full-time judge shall be elected in 1963.

In the Medina municipal court, one full-time judge shall be elected in 1957.

In the Mentor municipal court, one full-time judge shall be elected in 1971.

In the Miami county municipal court, one full-time judge shall be elected in 1975, and one full-time judge shall be elected in 1979.

In the Miamisburg municipal court, one full-time judge shall be elected in 1951.

In the Middletown municipal court, one full-time judge shall be elected in 1953.

In the Montgomery county municipal court:

One judge shall be elected in 2011 to a part-time judgeship for a term

to begin on January 1, 2012. If any one of the other judgeships of the court becomes vacant and is abolished after July 1, 2010, this judgeship shall become a full-time judgeship on that date. If only one other judgeship of the court becomes vacant and is abolished as of December 31, 2021, this judgeship shall be abolished as of that date. Beginning July 1, 2010, the part-time judge of the Montgomery county county court that existed before that date whose term commenced on January 1, 2005, shall serve as a part-time judge of the Montgomery county municipal court until December 31, 2011.

One judge shall be elected in 2011 to a full-time judgeship for a term to begin on January 2, 2012, and this judgeship shall be abolished on January 1, 2016. Beginning July 1, 2010, the part-time judge of the Montgomery county county court that existed before that date whose term commenced on January 2, 2005, shall serve as a full-time judge of the Montgomery county municipal court until January 1, 2012.

One judge shall be elected in 2013 to a full-time judgeship for a term to begin on January 2, 2014. Beginning July 1, 2010, the part-time judge of the Montgomery county county court that existed before that date whose term commenced on January 2, 2007, shall serve as a full-time judge of the Montgomery county municipal court until January 1, 2014.

One judge shall be elected in 2013 to a judgeship for a term to begin on January 1, 2014. If no other judgeship of the court becomes vacant and is abolished by January 1, 2014, this judgeship shall be a part-time judgeship. When one or more of the other judgeships of the court becomes vacant and is abolished after July 1, 2010, this judgeship shall become a full-time judgeship. Beginning July 1, 2010, the part-time judge of the Montgomery county county court that existed before that date whose term commenced on January 1, 2007, shall serve as this judge of the Montgomery county municipal court until December 31, 2013.

If any one of the judgeships of the court becomes vacant before December 31, 2021, that judgeship is abolished on the date that it becomes vacant, and the other judges of the court shall be or serve as full-time judges. The abolishment of judgeships for the Montgomery county municipal court shall cease when the court has two full-time judgeships.

In the Morrow county municipal court, one full-time judge shall be elected in 2005. Beginning January 1, 2003, the part-time judge of the Morrow county county court that existed prior to that date shall serve as the full-time judge of the Morrow county municipal court until December 31, 2005.

In the Mount Vernon municipal court, one full-time judge shall be elected in 1951.

In the Napoleon municipal court, one full-time judge shall be elected

in 2005.

In the New Philadelphia municipal court, one full-time judge shall be elected in 1975.

In the Newton Falls municipal court, one full-time judge shall be elected in 1963.

In the Niles municipal court, one full-time judge shall be elected in 1951.

In the Norwalk municipal court, one full-time judge shall be elected in 1975.

In the Oakwood municipal court, one part-time judge shall be elected in 1953.

In the Oberlin municipal court, one full-time judge shall be elected in 1989.

In the Oregon municipal court, one full-time judge shall be elected in 1963.

In the Ottawa county municipal court, one full-time judge shall be elected in 1995, and the full-time judge of the Port Clinton municipal court who is elected in 1989 shall serve as the judge of the Ottawa county municipal court from February 4, 1994, until the end of that judge's term.

In the Painesville municipal court, one full-time judge shall be elected in 1951.

In the Parma municipal court, one full-time judge shall be elected in 1951, one full-time judge shall be elected in 1967, and one full-time judge shall be elected in 1971.

In the Perry county municipal court to be established on January 1, 2018, one full-time judge shall be elected in 2017.

In the Perrysburg municipal court, one full-time judge shall be elected in 1977.

In the Portage county municipal court, two full-time judges shall be elected in 1979, and one full-time judge shall be elected in 1971.

In the Port Clinton municipal court, one full-time judge shall be elected in 1953. The full-time judge of the Port Clinton municipal court who is elected in 1989 shall serve as the judge of the Ottawa county municipal court from February 4, 1994, until the end of that judge's term.

In the Portsmouth municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1985.

In the Putnam county municipal court, one full-time judge shall be elected in 2011. Beginning January 1, 2011, the part-time judge of the Putnam county county court that existed prior to that date whose term

commenced on January 1, 2007, shall serve as the full-time judge of the Putnam county municipal court until December 31, 2011.

In the Rocky River municipal court, one full-time judge shall be elected in 1957, and one full-time judge shall be elected in 1971.

In the Sandusky municipal court, one full-time judge shall be elected in 1953.

In the Sandusky county municipal court, one full-time judge shall be elected in 2013. Beginning on January 1, 2013, the two part-time judges of the Sandusky county county court that existed prior to that date shall serve as part-time judges of the Sandusky county municipal court until December 31, 2013. If either judgeship becomes vacant before January 1, 2014, that judgeship is abolished on the date it becomes vacant, and the person who holds the other judgeship shall serve as the full-time judge of the Sandusky county municipal court until December 31, 2013.

In the Shaker Heights municipal court, one full-time judge shall be elected in 1957.

In the Shelby municipal court, one part-time judge shall be elected in 1957.

In the Sidney municipal court, one full-time judge shall be elected in 1995.

In the South Euclid municipal court, one full-time judge shall be elected in 1999. The part-time judge elected in 1993, whose term commenced on January 1, 1994, shall serve until December 31, 1999, and the office of that judge is abolished on January 1, 2000.

In the Springfield municipal court, two full-time judges shall be elected in 1985, and one full-time judge shall be elected in 1983, all of whom shall serve as the judges of the Springfield municipal court through December 31, 1987, and as the judges of the Clark county municipal court from January 1, 1988, until the end of their respective terms.

In the Steubenville municipal court, one full-time judge shall be elected in 1953.

In the Stow municipal court, one full-time judge shall be elected in 2009, and one full-time judge shall be elected in 2013. Beginning January 1, 2009, the judge of the Cuyahoga Falls municipal court that existed prior to that date whose term commenced on January 1, 2008, shall serve as a full-time judge of the Stow municipal court until December 31, 2013. Beginning January 1, 2009, the judge of the Cuyahoga Falls municipal court that existed prior to that date whose term commenced on January 1, 2004, shall serve as a full-time judge of the Stow municipal court until December 31, 2009.

In the Struthers municipal court, one part-time judge shall be elected

in 1963.

In the Sylvania municipal court, one full-time judge shall be elected in 1963.

In the Tiffin-Fostoria municipal court, one full-time judge shall be elected in 2013.

In the Toledo municipal court, two full-time judges shall be elected in 1971, four full-time judges shall be elected in 1975, and one full-time judge shall be elected in 1973.

In the Upper Sandusky municipal court, one full-time judge shall be elected in 2011. The part-time judge elected in 2005, whose term commenced on January 1, 2006, shall serve as a full-time judge on and after January 1, 2008, until the expiration of that judge's term on December 31, 2011, and the office of that judge is abolished on January 1, 2012.

In the Vandalia municipal court, one full-time judge shall be elected in 1959.

In the Van Wert municipal court, one full-time judge shall be elected in 1957.

In the Vermilion municipal court, one part-time judge shall be elected in 1965.

In the Wadsworth municipal court, one full-time judge shall be elected in 1981.

In the Warren municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1971.

In the Washington Court House municipal court, one full-time judge shall be elected in 1999. The part-time judge elected in 1993, whose term commenced on January 1, 1994, shall serve until December 31, 1999, and the office of that judge is abolished on January 1, 2000.

In the Wayne county municipal court, one full-time judge shall be elected in 1975, and one full-time judge shall be elected in 1979.

In the Willoughby municipal court, one full-time judge shall be elected in 1951.

In the Wilmington municipal court, one full-time judge shall be elected in 1991, who shall serve as the judge of the Wilmington municipal court through June 30, 1992, and as the judge of the Clinton county municipal court from July 1, 1992, until the end of that judge's term on December 31, 1997.

In the Xenia municipal court, one full-time judge shall be elected in 1977.

In the Youngstown municipal court, one full-time judge shall be

elected in 1951, and one full-time judge shall be elected in 2013.

In the Zanesville municipal court, one full-time judge shall be elected in 1953.

Sec. 1901.31. The clerk and deputy clerks of a municipal court shall be selected, be compensated, give bond, and have powers and duties as follows:

(A) There shall be a clerk of the court who is appointed or elected as follows:

(1)(a) Except in the Akron, Barberton, Toledo, Hamilton county, Miami county, Montgomery county, Portage county, and Wayne county municipal courts and through December 31, 2008, the Cuyahoga Falls municipal court, if the population of the territory equals or exceeds one hundred thousand at the regular municipal election immediately preceding the expiration of the term of the present clerk, the clerk shall be nominated and elected by the qualified electors of the territory in the manner that is provided for the nomination and election of judges in section 1901.07 of the Revised Code.

The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(b) In the Hamilton county municipal court, the clerk of courts of Hamilton county shall be the clerk of the municipal court and may appoint an assistant clerk who shall receive the compensation, payable out of the treasury of Hamilton county in semimonthly installments, that the board of county commissioners prescribes. The clerk of courts of Hamilton county, acting as the clerk of the Hamilton county municipal court and assuming the duties of that office, shall receive compensation at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code. This compensation shall be paid from the county treasury in semimonthly installments and is in addition to the annual compensation that is received for the performance of the duties of the clerk of courts of Hamilton county, as provided in sections 325.08 and 325.18 of the Revised Code.

(c) In the Portage county and Wayne county municipal courts, the clerks of courts of Portage county and Wayne county shall be the clerks, respectively, of the Portage county and Wayne county municipal courts and may appoint a chief deputy clerk for each branch that is established pursuant to section 1901.311 of the Revised Code and assistant clerks as the judges of the municipal court determine are necessary, all of whom shall receive the compensation that the legislative authority prescribes. The clerks of courts of

Portage county and Wayne county, acting as the clerks of the Portage county and Wayne county municipal courts and assuming the duties of these offices, shall receive compensation payable from the county treasury in semimonthly installments at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(d) In the Montgomery county and Miami county municipal courts, the clerks of courts of Montgomery county and Miami county shall be the clerks, respectively, of the Montgomery county and Miami county municipal courts. The clerks of courts of Montgomery county and Miami county, acting as the clerks of the Montgomery county and Miami county municipal courts and assuming the duties of these offices, shall receive compensation at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code. This compensation shall be paid from the county treasury in semimonthly installments and is in addition to the annual compensation that is received for the performance of the duties of the clerks of courts of Montgomery county and Miami county, as provided in sections 325.08 and 325.18 of the Revised Code.

(e) Except as otherwise provided in division (A)(1)(e) of this section, in the Akron municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Akron for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Akron municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Akron municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the

purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Akron municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(f) Except as otherwise provided in division (A)(1)(f) of this section, in the Barberton municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Barberton for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Barberton municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Barberton municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Barberton municipal court shall contain a designation of the term for which the candidate seeks

election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(g)(i) Through December 31, 2008, except as otherwise provided in division (A)(1)(g)(i) of this section, in the Cuyahoga Falls municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Cuyahoga Falls for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Cuyahoga Falls municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Cuyahoga Falls municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Cuyahoga Falls municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the

clerk's successor is elected and qualified.

(ii) Division (A)(1)(g)(i) of this section shall have no effect after December 31, 2008.

(h) Except as otherwise provided in division (A)(1)(h) of this section, in the Toledo municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Toledo for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Toledo municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Toledo municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Toledo municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(2)(a) Except for the Alliance, Auglaize county, Brown county, Columbiana county, Holmes county, Perry county, Putnam county, Sandusky county, Lorain, Massillon, and Youngstown municipal courts, in a municipal

court for which the population of the territory is less than one hundred thousand, the clerk shall be appointed by the court, and the clerk shall hold office until the clerk's successor is appointed and qualified.

(b) In the Alliance, Lorain, Massillon, and Youngstown municipal courts, the clerk shall be elected for a term of office as described in division (A)(1)(a) of this section.

(c) In the Auglaize county, Brown county, Holmes county, Perry county, Putnam county, and Sandusky county municipal courts, the clerks of courts of Auglaize county, Brown county, Holmes county, Perry county, Putnam county, and Sandusky county shall be the clerks, respectively, of the Auglaize county, Brown county, Holmes county, Perry county, Putnam county, and Sandusky county municipal courts and may appoint a chief deputy clerk for each branch office that is established pursuant to section 1901.311 of the Revised Code, and assistant clerks as the judge of the court determines are necessary, all of whom shall receive the compensation that the legislative authority prescribes. The clerks of courts of Auglaize county, Brown county, Holmes county, Perry county, Putnam county, and Sandusky county, acting as the clerks of the Auglaize county, Brown county, Holmes county, Perry county, Putnam county, and Sandusky county municipal courts and assuming the duties of these offices, shall receive compensation payable from the county treasury in semimonthly installments at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(d) In the Columbiana county municipal court, the clerk of courts of Columbiana county shall be the clerk of the municipal court, may appoint a chief deputy clerk for each branch office that is established pursuant to section 1901.311 of the Revised Code, and may appoint any assistant clerks that the judges of the court determine are necessary. All of the chief deputy clerks and assistant clerks shall receive the compensation that the legislative authority prescribes. The clerk of courts of Columbiana county, acting as the clerk of the Columbiana county municipal court and assuming the duties of that office, shall receive in either biweekly installments or semimonthly installments, as determined by the payroll administrator, compensation payable from the county treasury at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(3) During the temporary absence of the clerk due to illness, vacation, or other proper cause, the court may appoint a temporary clerk, who shall be paid the same compensation, have the same authority, and perform the same duties as the clerk.

(B) Except in the Hamilton county, Montgomery county, Miami county, Portage county, and Wayne county municipal courts, if a vacancy occurs in the office of the clerk of the Alliance, Lorain, Massillon, or Youngstown municipal court or occurs in the office of the clerk of a municipal court for which the population of the territory equals or exceeds one hundred thousand because the clerk ceases to hold the office before the end of the clerk's term or because a clerk-elect fails to take office, the vacancy shall be filled, until a successor is elected and qualified, by a person chosen by the residents of the territory of the court who are members of the county central committee of the political party by which the last occupant of that office or the clerk-elect was nominated. Not less than five nor more than fifteen days after a vacancy occurs, those members of that county central committee shall meet to make an appointment to fill the vacancy. At least four days before the date of the meeting, the chairperson or a secretary of the county central committee shall notify each such member of that county central committee by first class mail of the date, time, and place of the meeting and its purpose. A majority of all such members of that county central committee constitutes a quorum, and a majority of the quorum is required to make the appointment. If the office so vacated was occupied or was to be occupied by a person not nominated at a primary election, or if the appointment was not made by the committee members in accordance with this division, the court shall make an appointment to fill the vacancy. A successor shall be elected to fill the office for the unexpired term at the first municipal election that is held more than one hundred thirty-five days after the vacancy occurred.

(C)(1) In a municipal court, other than the Auglaize county, the Brown county, the Columbiana county, the Holmes county, the Perry county, the Putnam county, the Sandusky county, and the Lorain municipal courts, for which the population of the territory is less than one hundred thousand, the clerk of the municipal court shall receive the annual compensation that the presiding judge of the court prescribes, if the revenue of the court for the preceding calendar year, as certified by the auditor or chief fiscal officer of the municipal corporation in which the court is located or, in the case of a county-operated municipal court, the county auditor, is equal to or greater than the expenditures, including any debt charges, for the operation of the court payable under this chapter from the city treasury or, in the case of a county-operated municipal court, the county treasury for that calendar year, as also certified by the auditor or chief fiscal officer. If the revenue of a municipal court, other than the Auglaize county, the Brown county, the Columbiana county, the Perry county, the Putnam county, the Sandusky county, and the Lorain municipal courts, for which the population of the territory is less than one hundred thousand for the preceding calendar year as so certified is not equal to or greater than those expenditures for the operation

of the court for that calendar year as so certified, the clerk of a municipal court shall receive the annual compensation that the legislative authority prescribes. As used in this division, "revenue" means the total of all costs and fees that are collected and paid to the city treasury or, in a county-operated municipal court, the county treasury by the clerk of the municipal court under division (F) of this section and all interest received and paid to the city treasury or, in a county-operated municipal court, the county treasury in relation to the costs and fees under division (G) of this section.

(2) In a municipal court, other than the Hamilton county, Montgomery county, Miami county, Portage county, and Wayne county municipal courts, for which the population of the territory is one hundred thousand or more, and in the Lorain municipal court, the clerk of the municipal court shall receive annual compensation in a sum equal to eighty-five per cent of the salary of a judge of the court.

(3) The compensation of a clerk described in division (C)(1) or (2) of this section and of the clerk of the Columbiana county municipal court is payable in either semimonthly installments or biweekly installments, as determined by the payroll administrator, from the same sources and in the same manner as provided in section 1901.11 of the Revised Code, except that the compensation of the clerk of the Carroll county municipal court is payable in biweekly installments.

(D) Before entering upon the duties of the clerk's office, the clerk of a municipal court shall give bond of not less than six thousand dollars to be determined by the judges of the court, conditioned upon the faithful performance of the clerk's duties.

(E) The clerk of a municipal court may do all of the following: administer oaths, take affidavits, and issue executions upon any judgment rendered in the court, including a judgment for unpaid costs; issue, sign, and attach the seal of the court to all writs, process, subpoenas, and papers issuing out of the court; and approve all bonds, sureties, recognizances, and undertakings fixed by any judge of the court or by law. The clerk may refuse to accept for filing any pleading or paper submitted for filing by a person who has been found to be a vexatious litigator under section 2323.52 of the Revised Code and who has failed to obtain leave to proceed under that section. The clerk shall do all of the following: file and safely keep all journals, records, books, and papers belonging or appertaining to the court; record the proceedings of the court; perform all other duties that the judges of the court may prescribe; and keep a book showing all receipts and disbursements, which book shall be open for public inspection at all times.

The clerk shall prepare and maintain a general index, a docket, and other records that the court, by rule, requires, all of which shall be the public records of the court. In the docket, the clerk shall enter, at the time of the

commencement of an action, the names of the parties in full, the names of the counsel, and the nature of the proceedings. Under proper dates, the clerk shall note the filing of the complaint, issuing of summons or other process, returns, and any subsequent pleadings. The clerk also shall enter all reports, verdicts, orders, judgments, and proceedings of the court, clearly specifying the relief granted or orders made in each action. The court may order an extended record of any of the above to be made and entered, under the proper action heading, upon the docket at the request of any party to the case, the expense of which record may be taxed as costs in the case or may be required to be prepaid by the party demanding the record, upon order of the court.

(F) The clerk of a municipal court shall receive, collect, and issue receipts for all costs, fees, fines, bail, and other moneys payable to the office or to any officer of the court. The clerk shall on or before the twentieth day of the month following the month in which they are collected disburse to the proper persons or officers, and take receipts for, all costs, fees, fines, bail, and other moneys that the clerk collects. Subject to sections 307.515 and 4511.193 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court and except for the Hamilton county, Lawrence county, and Ottawa county municipal courts, the clerk shall pay all fines received for violation of municipal ordinances into the treasury of the municipal corporation the ordinance of which was violated and shall pay all fines received for violation of township resolutions adopted pursuant to section 503.52 or 503.53 or Chapter 504. of the Revised Code into the treasury of the township the resolution of which was violated. Subject to sections 1901.024 and 4511.193 of the Revised Code, in the Hamilton county, Lawrence county, and Ottawa county municipal courts, the clerk shall pay fifty per cent of the fines received for violation of municipal ordinances and fifty per cent of the fines received for violation of township resolutions adopted pursuant to section 503.52 or 503.53 or Chapter 504. of the Revised Code into the treasury of the county. Subject to sections 307.515, 4511.19, and 5503.04 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court, the clerk shall pay all fines collected for the violation of state laws into the county treasury. Except in a county-operated municipal court, the clerk shall pay all costs and fees the disbursement of which is not otherwise provided for in the Revised Code into the city treasury. The clerk of a county-operated municipal court shall pay the costs and fees the disbursement of which is not otherwise provided for in the Revised Code into the county treasury. Moneys deposited as security for costs shall be retained pending the litigation. The clerk shall keep a separate account of all receipts and disbursements in civil and criminal cases, which shall be a permanent public record of the office. On the expiration of the term of the clerk, the

clerk shall deliver the records to the clerk's successor. The clerk shall have other powers and duties as are prescribed by rule or order of the court.

(G) All moneys paid into a municipal court shall be noted on the record of the case in which they are paid and shall be deposited in a state or national bank, or a domestic savings and loan association, as defined in section 1151.01 of the Revised Code, that is selected by the clerk. Any interest received upon the deposits shall be paid into the city treasury, except that, in a county-operated municipal court, the interest shall be paid into the treasury of the county in which the court is located.

On the first Monday in January of each year, the clerk shall make a list of the titles of all cases in the court that were finally determined more than one year past in which there remains unclaimed in the possession of the clerk any funds, or any part of a deposit for security of costs not consumed by the costs in the case. The clerk shall give notice of the moneys to the parties who are entitled to the moneys or to their attorneys of record. All the moneys remaining unclaimed on the first day of April of each year shall be paid by the clerk to the city treasurer, except that, in a county-operated municipal court, the moneys shall be paid to the treasurer of the county in which the court is located. The treasurer shall pay any part of the moneys at any time to the person who has the right to the moneys upon proper certification of the clerk.

(H) Deputy clerks of a municipal court other than the Carroll county municipal court may be appointed by the clerk and shall receive the compensation, payable in either biweekly installments or semimonthly installments, as determined by the payroll administrator, out of the city treasury, that the clerk may prescribe, except that the compensation of any deputy clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the court is located. The judge of the Carroll county municipal court may appoint deputy clerks for the court, and the deputy clerks shall receive the compensation, payable in biweekly installments out of the county treasury, that the judge may prescribe. Each deputy clerk shall take an oath of office before entering upon the duties of the deputy clerk's office and, when so qualified, may perform the duties appertaining to the office of the clerk. The clerk may require any of the deputy clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the deputy clerk's duties.

(I) For the purposes of this section, whenever the population of the territory of a municipal court falls below one hundred thousand but not below ninety thousand, and the population of the territory prior to the most recent regular federal census exceeded one hundred thousand, the legislative authority of the municipal corporation may declare, by resolution, that the territory shall be considered to have a population of at least one hundred

thousand.

(J) The clerk or a deputy clerk shall be in attendance at all sessions of the municipal court, although not necessarily in the courtroom, and may administer oaths to witnesses and jurors and receive verdicts.

Sec. 1901.312. (A) As used in this section, "health care coverage" has the same meaning as in section 1901.111 of the Revised Code.

(B) The legislative authority, after consultation with the clerk and deputy clerks of the municipal court, shall negotiate and contract for, purchase, or otherwise procure group health care coverage for the clerk and deputy clerks and their spouses and dependents from insurance companies authorized to engage in the business of insurance in this state under Title XXXIX of the Revised Code or health insuring corporations holding certificates of authority under Chapter 1751. of the Revised Code, except that if the county or municipal corporation served by the legislative authority provides group health care coverage for its employees, the group health care coverage required by this section shall be provided, if possible, through the policy or plan under which the group health care coverage is provided for the county or municipal corporation employees.

(C) The portion of the costs, premiums, or charges for the group health care coverage procured pursuant to division (B) of this section that is not paid by the clerk and deputy clerks of the municipal court, or all of the costs, premiums, or charges for the group health care coverage if the clerk and deputy clerks will not be paying any such portion, shall be paid as follows:

(1) If the municipal court is a county-operated municipal court, the portion of the costs, premiums, or charges or all of the costs, premiums, or charges shall be paid out of the treasury of the county.

(2)(a) If the municipal court is not a county-operated municipal court, the portion of the costs, premiums, or charges in connection with the clerk or all of the costs, premiums, or charges in connection with the clerk shall be paid in three-fifths and two-fifths shares from the city treasury and appropriate county treasuries as described in division (C) of section 1901.31 of the Revised Code. The three-fifths share of a city treasury is subject to apportionment under section 1901.026 of the Revised Code.

(b) If the municipal court is not a county-operated municipal court, the portion of the costs, premiums, or charges in connection with the deputy clerks or all of the costs, premiums, or charges in connection with the deputy clerks shall be paid from the city treasury and shall be subject to apportionment under section 1901.026 of the Revised Code.

(D) This section does not apply to the clerk of the Auglaize county, Hamilton county, Perry county, Portage county, Putnam county, or Wayne

county municipal court, if health care coverage is provided to the clerk by virtue of the clerk's employment as the clerk of the court of common pleas of Auglaize county, Hamilton county, Perry county, Portage county, Putnam county, or Wayne county.

Sec. 1901.34. (A) Except as provided in divisions (B) and (D) of this section, the village solicitor, city director of law, or similar chief legal officer for each municipal corporation within the territory of a municipal court shall prosecute all cases brought before the municipal court for criminal offenses occurring within the municipal corporation for which that person is the solicitor, director of law, or similar chief legal officer. Except as provided in division (B) of this section, the village solicitor, city director of law, or similar chief legal officer of the municipal corporation in which a municipal court is located shall prosecute all criminal cases brought before the court arising in the unincorporated areas within the territory of the municipal court.

(B) The Auglaize county, Brown county, Clermont county, Hocking county, Holmes county, Jackson county, Morrow county, Ottawa county, Perry county, Portage county, and Putnam county prosecuting attorneys shall prosecute in municipal court all violations of state law arising in their respective counties. The Carroll county, Crawford county, Hamilton county, Madison county, and Wayne county prosecuting attorneys and beginning January 1, 2008, the Erie county prosecuting attorney shall prosecute all violations of state law arising within the unincorporated areas of their respective counties. The Columbiana county prosecuting attorney shall prosecute in the Columbiana county municipal court all violations of state law arising in the county, except for violations arising in the municipal corporation of East Liverpool, Liverpool township, or St. Clair township. The Darke county prosecuting attorney shall prosecute in the Darke county municipal court all violations of state law arising in the county, except for violations of state law arising in the municipal corporation of Greenville and violations of state law arising in the village of Versailles. The Greene county board of county commissioners may provide for the prosecution of all violations of state law arising within the territorial jurisdiction of any municipal court located in Greene county. The Montgomery county prosecuting attorney shall prosecute in the Montgomery county municipal court all felony, misdemeanor, and traffic violations arising in the unincorporated townships of Jefferson, Jackson, Perry, and Clay and all felony violations of state law and all violations involving a state or county agency arising within the jurisdiction of the court. All other violations arising in the territory of the Montgomery county municipal court shall be prosecuted by the village solicitor, city director of law, or similar chief legal officer for each municipal corporation within the territory of the Montgomery county municipal court.

The prosecuting attorney of any county given the duty of prosecuting

in municipal court violations of state law shall receive no additional compensation for assuming these additional duties, except that the prosecuting attorney of Hamilton, Portage, and Wayne counties shall receive compensation at the rate of four thousand eight hundred dollars per year, and the prosecuting attorney of Auglaize county shall receive compensation at the rate of one thousand eight hundred dollars per year, each payable from the county treasury of the respective counties in semimonthly installments.

(C) The village solicitor, city director of law, or similar chief legal officer shall perform the same duties, insofar as they are applicable to the village solicitor, city director of law, or similar chief legal officer, as are required of the prosecuting attorney of the county. The village solicitor, city director of law, similar chief legal officer or any assistants who may be appointed shall receive for such services additional compensation to be paid from the treasury of the county as the board of county commissioners prescribes.

(D) The prosecuting attorney of any county, other than Auglaize, Brown, Clermont, Hocking, Holmes, Jackson, Morrow, Ottawa, Perry, Portage, or Putnam county, may enter into an agreement with any municipal corporation in the county in which the prosecuting attorney serves pursuant to which the prosecuting attorney prosecutes all criminal cases brought before the municipal court that has territorial jurisdiction over that municipal corporation for criminal offenses occurring within the municipal corporation. The prosecuting attorney of Auglaize, Brown, Clermont, Hocking, Holmes, Jackson, Morrow, Ottawa, Perry, Portage, or Putnam county may enter into an agreement with any municipal corporation in the county in which the prosecuting attorney serves pursuant to which the respective prosecuting attorney prosecutes all cases brought before the Auglaize county, Brown county, Clermont county, Hocking county, Holmes county, Jackson county, Morrow county, Ottawa county, Perry county, Portage county, or Putnam county municipal court for violations of the ordinances of the municipal corporation or for criminal offenses other than violations of state law occurring within the municipal corporation. For prosecuting these cases, the prosecuting attorney and the municipal corporation may agree upon a fee to be paid by the municipal corporation, which fee shall be paid into the county treasury, to be used to cover expenses of the office of the prosecuting attorney.

Sec. 1907.11. (A) Each county court district shall have the following county court judges, to be elected as follows:

In the Adams county county court, one part-time judge shall be elected in 1982.

In the Ashtabula county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.

In the Belmont county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and two part-time judges shall be elected in 1994, terms to commence on January 1, 1995, and January 2, 1995, respectively.

In the Butler county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and two part-time judges shall be elected in 1994, terms to commence on January 1, 1995, and January 2, 1995, respectively.

Until December 31, 2007, in the Erie county county court, one part-time judge shall be elected in 1982. Effective January 1, 2008, the Erie county county court shall cease to exist.

In the Fulton county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.

In the Harrison county county court, one part-time judge shall be elected in 1982.

In the Highland county county court, one part-time judge shall be elected in 1982.

In the Jefferson county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and two part-time judges shall be elected in 1994, terms to commence on January 1, 1995, and January 2, 1995, respectively.

In the Mahoning county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and three part-time judges shall be elected in 1994, terms to commence on January 1, 1995, January 2, 1995, and January 3, 1995, respectively.

In the Meigs county county court, one part-time judge shall be elected in 1982.

In the Monroe county county court, one part-time judge shall be elected in 1982.

In the Morgan county county court, one part-time judge shall be elected in 1982.

In the Muskingum county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.

In the Noble county county court, one part-time judge shall be elected in 1982.

In the Paulding county county court, one part-time judge shall be elected in 1982.

~~In the Perry county county court, one part-time judge shall be elected in 1982.~~

In the Pike county county court, one part-time judge shall be elected in 1982.

Until December 31, 2006, in the Sandusky county county court, two part-time judges shall be elected in 1994, terms to commence on January 1, 1995, and January 2, 1995, respectively. The judges elected in 2006 shall serve until December 31, 2012. The Sandusky county county court shall cease to exist on January 1, 2013.

In the Trumbull county county court, one part-time judge shall be elected in 1992, and one part-time judge shall be elected in 1994.

In the Tuscarawas county county court, one part-time judge shall be elected in 1982.

In the Vinton county county court, one part-time judge shall be elected in 1982.

In the Warren county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.

(B)(1) Additional judges shall be elected at the next regular election for a county court judge as provided in section 1907.13 of the Revised Code.

(2) Vacancies caused by the death or the resignation from, forfeiture of, or removal from office of a judge shall be filled in accordance with section 107.08 of the Revised Code, except as provided in section 1907.15 of the Revised Code."

In line 615, after "sections" insert "1901.01, 1901.02, 1901.03, 1901.07, 1901.08, 1901.31, 1901.312, 1901.34, 1907.11,"

Between lines 616 and 617, insert:

"Section 3. (A) Effective January 1, 2018, the Perry County County Court is abolished.

(B) All causes, judgments, executions, and other proceedings pending in the Perry County County Court at the close of business on December 31, 2017, shall be transferred to and proceed in the Perry County Municipal Court on January 1, 2018, as if originally instituted in the Perry County Municipal Court. Parties to those causes, judgments, executions, and proceedings may make any amendments to their pleadings that are required to conform them to the rules of the Perry County Municipal Court. The Clerk of the Perry County County Court or other custodian shall transfer to the Perry County Municipal Court all pleadings, orders, entries, dockets, bonds, papers, records, books, exhibits, files, moneys, property, and persons that belong to, are in the possession of, or are subject to the jurisdiction of the Perry County County Court, or any officer of that court, that pertain to those causes, judgments, executions, and proceedings at the close of business on December 31, 2017.

(C) All employees of the Perry County County Court shall be

transferred to and shall become employees of the Perry County Municipal Court on January 1, 2018.

(D) Effective January 1, 2018, the part-time judgeship in the Perry County County Court is abolished.

Section 4. Sections 1901.01, 1901.02, 1901.03, 1901.31, 1901.312, 1901.34, and 1907.11 of the Revised Code, as amended by this act, shall take effect January 1, 2018.

Section 5. Section 1901.34 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 238 and Sub. H.B. 338 of the 128th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

In line 617, delete "3" and insert "6"

The question being, "Shall the amendment be agreed to?"

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. Sub. H. B. No. 172**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Eklund moved to amend the title as follows:

Add the names: "Senators Hottinger, Seitz, Uecker."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 347-Representatives McColley, Brinkman.

Cosponsors: Representatives Antani, Becker, Brenner, Dever, Duffey, Hambley, Henne, Hood, LaTourette, Retherford, Roegner, Schuring, Terhar, Thompson, Vitale, Young, Zeltwanger, Amstutz, Koehler, Rezabek, Romanchuk. Senators LaRose, Coley.

To amend sections 2329.84, 2329.85, 2329.86, 2981.01, 2981.03, 2981.04, 2981.05, 2981.06, 2981.09, 2981.11, and 2981.14 and to enact section 2927.21 of the Revised Code to modify the laws governing criminal and civil asset forfeitures, to revise the procedures upon a writ of execution of goods claimed by a person other than the defendant, and to establish the offense of receiving proceeds of an offense subject to forfeiture proceedings and permit the state to file a civil action against the person who allegedly committed that offense under certain circumstances, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 347**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Coley moved to amend the title as follows:

Add the names: "Senators Balderson, Beagle, Brown, Burke, Eklund, Faber, Hackett, Hottinger, Jones, Jordan, Lehner, Obhof, Peterson, Seitz, Tavares, Thomas, Uecker."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 378-Representatives Hambley, Rezabek.

Cosponsors: Representatives Arndt, Boose, Brown, Conditt, LaTourette, Manning, McColley, O'Brien, M., Schuring, Slaby, Rogers, Leland, Sweeney. Senator Uecker.

To amend sections 4513.35 and 4513.39 of the Revised Code to authorize law enforcement officers of township police districts and joint police districts, and township constables, serving a population of 50,000 or less to make arrests for motor vehicle-related violations committed on national highways that are not part of the interstate highway system, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 378**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
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Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schiavoni	Seitz
Skindell	Tavares	Thomas	Uecker
Williams			Faber-30

Senator Jordan voted in the negative-1.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Uecker moved to amend the title as follows:

Add the names: "Senators Burke, Eklund."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 432-Representatives Cupp, Rezabek.

Cosponsors: Representatives Bishoff, Craig, Grossman, Hayes, Johnson, G., Manning, McClain, Rogers, Sweeney. Senators Coley, Bacon, Hackett.

To amend sections 1337.60, 1901.261, 1907.261, 2101.026, 2101.16, 2101.162, 2105.02, 2105.14, 2105.31, 2105.32, 2105.33, 2105.34, 2105.35, 2105.36, 2105.37, 2105.39, 2106.13, 2106.18, 2107.07, 2107.10, 2109.62, 2111.131, 2113.86, 2151.541, 2153.081, 2301.031, 4505.10, 5801.10, 5803.02, 5804.02, 5808.16, 5812.32, 5812.46, 5812.51, 5814.01, 5814.02, 5814.03, 5814.04, 5814.05, 5814.06, 5814.07, 5814.08, 5814.09, and 5815.23; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2105.39 (2105.38) and 5814.09 (5814.10); to enact new sections 2105.39 and 5814.09 and sections 1337.571, 2105.40, 2127.012, 2137.01, 2137.02, 2137.03, 2137.04, 2137.05, 2137.06, 2137.07, 2137.08, 2137.09, 2137.10, 2137.11, 2137.12, 2137.13, 2137.14, 2137.15, 2137.16, 2137.17, 2137.18, and 5802.04; and to repeal section 2105.38 of the Revised Code to revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act; to raise the ceilings on the optional additional fees that a probate, domestic relations, juvenile, municipal, or county court or the Cuyahoga County Juvenile Court may charge to fund computerization of the court or the court clerk's office, and to authorize use of the additional clerk's fees to fund technological advances in the clerk's office; to authorize the director or any designee of the Franklin County Guardianship Service Board to act on behalf of the Board on guardianship matters, and to permit the Board to charge a reasonable fee for services to wards; and to adopt the Revised Uniform Fiduciary Access to Digital Assets Act, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 432**, pass?"

Senator Bacon moved to amend as follows:

- In line 1 of the title, delete "1901.261, 1907.261,"
- In line 2 of the title, delete "2101.16, 2101.162,"
- In line 6 of the title, delete "2151.541, 2153.081, 2301.031,"
- In line 24 of the title, delete "to raise the"
- Delete line 25 through 31 of the title
- In line 32 of the title, delete "advances in the clerk's office;"
- In line 39, delete "1901.261, 1907.261,"
- In line 40, delete "2101.16, 2101.162,"
- In line 42, delete "2151.541,"
- In line 43, delete "2153.081, 2301.031,"
- Delete lines 301 through 449
- Delete lines 526 through 844
- Delete lines 2021 through 2214
- In line 3550, delete "1901.261,"
- In line 3551, delete "1907.261, "; delete "2101.16, 2101.162,"
- In line 3554, delete "2151.541, 2153.081, 2301.031,"

The question being, "Shall the amendment be agreed to?"

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. Sub. H. B. No. 432**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Bacon moved to amend the title as follows:

Add the names: "Senators Eklund, Hughes, Jordan, Oelslager, Peterson, Schiavoni."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 438-Representative Patterson.

Cosponsors: Representatives Boyd, O'Brien, M., Phillips, Smith, K., Lepore-Hagan, Ramos, Boccieri, Leland, Howse, Slaby, Brenner, Fedor, Cupp, Schaffer, Smith, R., Anielski, Antonio, Barnes, Bishoff, Boggs, Boyce, Brown, Craig, Dovilla, Duffey, Grossman, Hambley, Hayes, Johnson, G., Kuhns, Kunze, Manning, O'Brien, S., Reece, Rezabek, Roegner, Rogers, Ruhl, Ryan, Sheehy, Sweeney, Sykes, Thompson, Young.

To amend sections 3313.41, 3313.411, 3313.412, 3313.413, 3313.60, 3318.02, 3318.024, 3318.08, 3318.30, 3319.113, and 5705.10 and to enact sections 5.235 and 3318.036, and to repeal section 3318.32 of the Revised Code to designate the week prior to the week of Thanksgiving Day as "Ohio Public Education Appreciation Week"; to require the health curriculum of each school district to include the instruction on the positive effects of organ and tissue donation; to permit school districts not to evaluate school counselors who are on extended leave or have submitted a notice of retirement; to modify the timelines for the sale or lease of real property by school districts; and to require the School Facilities Commission to give priority for project funding to school districts that resulted from certain types of transfers, mergers, or consolidations and demonstrate an effective use of facility space as determined by the Commission, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 438**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Lehner moved to amend the title as follows:

Add the names: "Senators Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Uecker, Williams."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 476-Representative Schuring.

Cosponsors: Representatives Strahorn, Amstutz, Boyce, Brown, Celebrezze, Cera, Derickson, Driehaus, Hayes, McClain, Slesnick, Sprague, Buchy, Anielski, Antani, Barnes, Boyd, Brenner, Craig, Dever, Dovilla, Ginter, Goodman, Johnson, T., Leland, Maag, Merrin, Perales, Roegner, Romanchuk, Smith, R., Sweeney, Terhar, Thompson, Young, Zeltwanger, Speaker Rosenberger. Senator LaRose.

To amend sections 135.143 and 135.35 and to enact section 9.76 of the Revised Code to raise the foreign debt cap from one per cent to two per cent regarding state interim funds and county inactive and public library fund investments and to prohibit a state agency from contracting with a company that is involved in a boycott, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 476**, pass?"

The yeas and nays were taken and resulted – yeas 26, nays 5, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Gentile
Hackett	Hite	Hottinger	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Seitz	Thomas	Uecker
Williams			Faber-26

Senators Brown, Sawyer, Schiavoni, Skindell, and Tavares voted in the negative-5.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Coley moved to amend the title as follows:

Add the names: "Senators Bacon, Coley, Eklund, Faber, Hackett, Hite, Hottinger, Hughes, Jones, Obhof, Patton, Peterson, Seitz, Thomas, Uecker, Williams."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 410-Representatives Rezabek, Hayes.

Cosponsors: Representatives Brenner, Blessing, Henne, Manning, Patmon, Amstutz, Anielski, Antonio, Arndt, Baker, Barnes, Boyd, Grossman, McClain, Ryan, Sheehy, Slaby, Smith, R., Sweeney, Young, Speaker Rosenberger.

To amend sections 2151.011, 2151.022, 2151.18, 2151.23, 2151.27, 2151.28, 2151.311, 2151.35, 2151.354, 2152.02, 2152.021, 2152.19, 2152.26, 2919.24, 3313.534, 3313.66, 3313.661, 3314.03, 3321.041, 3321.13, 3321.16, 3321.19, 3321.191, 3321.22, 3321.38, 3326.11, 3328.24, and 4510.32 and to enact section 3313.668 of the Revised Code with regard to truancy and

compulsory school attendance, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 410**, pass?"

Senator LaRose moved to amend as follows:

In line 6 of the title, delete "and"; after "4510.32" insert ", and 5919.34"

In line 8 of the title, delete "with regard"; after "to" insert "modify"

In line 9 of the title, after "attendance" insert "law and to specify that a National Guard scholarship recipient who fails to complete the recipient's term of enlistment in the National Guard due to enlistment, warrant, commission, or appointment in the United States armed forces is not liable for repayment of the scholarship"

In line 14, delete "and"; after "4510.32" insert ", and 5919.34"

Between lines 3822 and 3823, insert:

"Sec. 5919.34. (A) As used in this section:

(1) "Academic term" means any one of the following:

(a) Fall term, which consists of fall semester or fall quarter, as appropriate;

(b) Winter term, which consists of winter semester, winter quarter, or spring semester, as appropriate;

(c) Spring term, which consists of spring quarter;

(d) Summer term, which consists of summer semester or summer quarter, as appropriate.

(2) "Eligible applicant" means any individual to whom all of the following apply:

(a) The individual does not possess a baccalaureate degree.

(b) The individual has enlisted, re-enlisted, or extended current enlistment in the Ohio national guard or is an individual to which division (F) of this section applies.

(c) The individual is actively enrolled as a full-time or part-time student for at least three credit hours of course work in a semester or quarter in a two-year or four-year degree-granting program at a state institution of higher education or a private institution of higher education, or in a diploma-granting program at a state or private institution of higher education that is a school of nursing.

(d) The individual has not accumulated ninety-six eligibility units under division (E) of this section.

(3) "State institution of higher education" means any state university

or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college established under Chapter 3354. of the Revised Code, state community college established under Chapter 3358. of the Revised Code, university branch established under Chapter 3355. of the Revised Code, or technical college established under Chapter 3357. of the Revised Code.

(4) "Private institution of higher education" means an Ohio institution of higher education that is nonprofit and has received a certificate of authorization pursuant to Chapter 1713. of the Revised Code, that is a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code, or that holds a certificate of registration and program authorization issued by the state board of career colleges and schools pursuant to section 3332.05 of the Revised Code.

(5) "Tuition" means the charges imposed to attend an institution of higher education and includes general and instructional fees. "Tuition" does not include laboratory fees, room and board, or other similar fees and charges.

(B) There is hereby created a scholarship program to be known as the Ohio national guard scholarship program.

(C)(1) The adjutant general shall approve scholarships for all eligible applicants. The adjutant general shall process all applications for scholarships for each academic term in the order in which they are received. The scholarships shall be made without regard to financial need. At no time shall one person be placed in priority over another because of sex, race, or religion.

(2) The adjutant general shall develop and provide a written explanation that informs all eligible scholarship recipients that the recipient may become ineligible and liable for repayment for an amount of scholarship payments received in accordance with division (G) of this section. The written explanation shall be reviewed by the scholarship recipient before acceptance of the scholarship and before acceptance of an enlistment, warrant, commission, or appointment for a term not less than the recipient's remaining term in the national guard or in the active duty component of the United States armed forces.

(D)(1) Except as provided in divisions (I) and (J) of this section, for each academic term that an eligible applicant is approved for a scholarship under this section and either remains a current member in good standing of the Ohio national guard or is eligible for a scholarship under division (F)(1) of this section, the institution of higher education in which the applicant is enrolled shall, if the applicant's enlistment obligation extends beyond the end of that academic term or if division (F)(1) of this section applies, be paid on

the applicant's behalf the applicable one of the following amounts:

(a) If the institution is a state institution of higher education, an amount equal to one hundred per cent of the institution's tuition charges;

(b) If the institution is a nonprofit private institution or a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code, an amount equal to one hundred per cent of the average tuition charges of all state universities;

(c) If the institution is an institution that holds a certificate of registration from the state board of career colleges and schools, the lesser of the following:

(i) An amount equal to one hundred per cent of the institution's tuition;

(ii) An amount equal to one hundred per cent of the average tuition charges of all state universities, as that term is defined in section 3345.011 of the Revised Code.

(2) An eligible applicant's scholarship shall not be reduced by the amount of that applicant's benefits under "the Montgomery G.I. Bill Act of 1984," Pub. L. No. 98-525, 98 Stat. 2553 (1984).

(E) A scholarship recipient under this section shall be entitled to receive scholarships under this section for the number of quarters or semesters it takes the recipient to accumulate ninety-six eligibility units as determined under divisions (E)(1) to (3) of this section.

(1) To determine the maximum number of semesters or quarters for which a recipient is entitled to a scholarship under this section, the adjutant general shall convert a recipient's credit hours of enrollment for each academic term into eligibility units in accordance with the following table:

Number of credit hours of enrollment in an academic term equals	The following number of eligibility units if a semester	or	The following number of eligibility units if a quarter
12 or more hours	12 units		8 units
9 but less than 12	9 units		6 units
6 but less than 9	6 units		4 units
3 but less than 6	3 units		2 units

(2) A scholarship recipient under this section may continue to apply for scholarships under this section until the recipient has accumulated ninety-six eligibility units.

(3) If a scholarship recipient withdraws from courses prior to the end of an academic term so that the recipient's enrollment for that academic term is less than three credit hours, no scholarship shall be paid on behalf of that person for that academic term. Except as provided in division (F)(3) of this section, if a scholarship has already been paid on behalf of the person for that academic term, the adjutant general shall add to that person's accumulated eligibility units the number of eligibility units for which the scholarship was paid.

(F) This division applies to any eligible applicant called into active duty on or after September 11, 2001. As used in this division, "active duty" means active duty pursuant to an executive order of the president of the United States, an act of the congress of the United States, or section 5919.29 or 5923.21 of the Revised Code.

(1) For a period of up to five years from when an individual's enlistment obligation in the Ohio national guard ends, an individual to whom this division applies is eligible for scholarships under this section for those academic terms that were missed or could have been missed as a result of the individual's call into active duty. Scholarships shall not be paid for the academic term in which an eligible applicant's enlistment obligation ends unless an applicant is eligible under this division for a scholarship for such academic term due to previous active duty.

(2) When an individual to whom this division applies withdraws or otherwise fails to complete courses, for which scholarships have been awarded under this section, because the individual was called into active duty, the institution of higher education shall grant the individual a leave of absence from the individual's education program and shall not impose any academic penalty for such withdrawal or failure to complete courses. Division (F)(2) of this section applies regardless of whether or not the scholarship amount was paid to the institution of higher education.

(3) If an individual to whom this division applies withdraws or otherwise fails to complete courses because the individual was called into active duty, and if scholarships for those courses have already been paid, either:

(a) The adjutant general shall not add to that person's accumulated eligibility units calculated under division (E) of this section the number of eligibility units for the academic courses or term for which the scholarship was paid and the institution of higher education shall repay the scholarship amount to the state.

(b) The adjutant general shall add to that individual's accumulated eligibility units calculated under division (E) of this section the number of eligibility units for the academic courses or term for which the scholarship was paid if the institution of higher education agrees to permit the individual

to complete the remainder of the academic courses in which the individual was enrolled at the time the individual was called into active duty.

(4) No individual who is discharged from the Ohio national guard under other than honorable conditions shall be eligible for scholarships under this division.

(G) A scholarship recipient under this section who fails to complete the term of enlistment, re-enlistment, or extension of current enlistment the recipient was serving at the time a scholarship was paid on behalf of the recipient under this section is liable to the state for repayment of a percentage of all Ohio national guard scholarships paid on behalf of the recipient under this section, plus interest at the rate of ten per cent per annum calculated from the dates the scholarships were paid. This percentage shall equal the percentage of the current term of enlistment, re-enlistment, or extension of enlistment a recipient has not completed as of the date the recipient is discharged from the Ohio national guard.

The attorney general may commence a civil action on behalf of the chancellor of the Ohio board of regents to recover the amount of the scholarships and the interest provided for in this division and the expenses incurred in prosecuting the action, including court costs and reasonable attorney's fees. A scholarship recipient is not liable under this division if the recipient's failure to complete the term of enlistment being served at the time a scholarship was paid on behalf of the recipient under this section is due to the recipient's death or discharge from the national guard due to disability or the recipient's enlistment, warrant, commission, or appointment for a term not less than the recipient's remaining term in the national guard or in the active duty component of the United States armed forces.

(H) On or before the first day of each academic term, the adjutant general shall provide an eligibility roster to the chancellor and to each institution of higher education at which one or more scholarship recipients have applied for enrollment. The institution shall use the roster to certify the actual full-time or part-time enrollment of each scholarship recipient listed as enrolled at the institution and return the roster to the adjutant general and the chancellor. Except as provided in division (J) of this section, the chancellor shall provide for payment of the appropriate number and amount of scholarships to each institution of higher education pursuant to division (D) of this section. If an institution of higher education fails to certify the actual enrollment of a scholarship recipient listed as enrolled at the institution within thirty days of the end of an academic term, the institution shall not be eligible to receive payment from the Ohio national guard scholarship program or from the individual enrollee. The adjutant general shall report on a semiannual basis to the director of budget and management, the speaker of the house of representatives, the president of the senate, and the chancellor

the number of Ohio national guard scholarship recipients, the size of the scholarship-eligible population, and a projection of the cost of the program for the remainder of the biennium.

(I) The chancellor and the adjutant general may adopt rules pursuant to Chapter 119. of the Revised Code governing the administration and fiscal management of the Ohio national guard scholarship program and the procedure by which the chancellor and the department of the adjutant general may modify the amount of scholarships a member receives based on the amount of other state financial aid a member receives.

(J) The adjutant general, the chancellor, and the director, or their designees, shall jointly estimate the costs of the Ohio national guard scholarship program for each upcoming fiscal biennium, and shall report that estimate prior to the beginning of the fiscal biennium to the chairpersons of the finance committees in the general assembly. During each fiscal year of the biennium, the adjutant general, the chancellor, and the director, or their designees, shall meet regularly to monitor the actual costs of the Ohio national guard scholarship program and update cost projections for the remainder of the biennium as necessary. If the amounts appropriated for the Ohio national guard scholarship program and any funds in the Ohio national guard scholarship reserve fund and the Ohio national guard scholarship donation fund are not adequate to provide scholarships in the amounts specified in division (D)(1) of this section for all eligible applicants, the chancellor shall do all of the following:

(1) Notify each private institution of higher education, where a scholarship recipient is enrolled, that, by accepting the Ohio national guard scholarship program as payment for all or part of the institution's tuition, the institution agrees that if the chancellor reduces the amount of each scholarship, the institution shall provide each scholarship recipient a grant or tuition waiver in an amount equal to the amount the recipient's scholarship was reduced by the chancellor.

(2) Reduce the amount of each scholarship under division (D)(1)(a) of this section proportionally based on the amount of remaining available funds. Each state institution of higher education shall provide each scholarship recipient under division (D)(1)(a) of this section a grant or tuition waiver in an amount equal to the amount the recipient's scholarship was reduced by the chancellor.

(K) Notwithstanding division (A) of section 127.14 of the Revised Code, the controlling board shall not transfer all or part of any appropriation for the Ohio national guard scholarship program.

(L) The chancellor and the adjutant general may apply for, and may receive and accept grants, and may receive and accept gifts, bequests, and contributions, from public and private sources, including agencies and

instrumentalities of the United States and this state, and shall deposit the grants, gifts, bequests, or contributions into the national guard scholarship donation fund."

In line 3827, delete "and"; after "4510.32" insert ", and 5919.34"

In line 4011, after "5." insert "The amendment made by this act to division (G) of section 5919.34 of the Revised Code applies to a scholarship recipient who became liable on or before September 30, 2016, for failure to complete the scholarship recipient's enlistment term in the Ohio National Guard due to enlistment, warrant, commission, or appointment in the active duty component of the United States Armed Forces. Not later than one year after the effective date of this act, the state shall return to a scholarship recipient, who is no longer liable under this section, any scholarship amount recovered from a scholarship recipient who became liable under division (G) of section 5919.34 of the Revised Code, on or before September 30, 2016.

Section 6."

The question being, "Shall the amendment be agreed to?"

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. Sub. H. B. No. 410**, pass?"

Senator Lehner moved to amend as follows:

In line 2255, delete "(A) Not later"

In line 2256, delete "than July 1, 2017,"; strike through "the" and insert "The"

In line 2257, reinsert "a"; delete "an updated"

In line 2259, reinsert "and"

In line 2260, reinsert "establish"; delete "that provides tiered responses for such behavior based"

Delete line 2261

In line 2262, delete "include"

In line 2263, delete "The plan shall provide that, to the"

Delete lines 2264 through 2291

In line 2292, delete "(C)"

In line 3399, delete "ten" and insert "five"

The question being, "Shall the amendment be agreed to?"

The yeas and nays were taken and resulted – yeas 25, nays 6, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Hackett	Hite	Hottinger	Hughes
Jones	Jordan	LaRose	Lehner

Manning	Obhof	Oelslager	Patton
Peterson	Seitz	Thomas	Uecker
			Faber-25

Senators Gentile, Sawyer, Schiavoni, Skindell, Tavares, and Williams voted in the negative-6.

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. Sub. H. B. No. 410**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Lehner moved to amend the title as follows:

Add the names: "Senators Bacon, Beagle, Brown, Coley, Eklund, Hackett, Hite, Jones, LaRose, Patton, Sawyer, Schiavoni, Tavares, Thomas, Uecker, Williams."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

On the motion of Senator Obhof, **Sub. H. B. No. 463** having been informally passed, was taken up for consideration.

The question being, "Shall the bill, **Sub. H. B. No. 463**, pass?"

The yeas and nays were taken and resulted – yeas 26, nays 5, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Gentile
Hackett	Hite	Hottinger	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schiavoni	Seitz
Uecker			Faber-26

Senators Brown, Skindell, Tavares, Thomas, and Williams voted in the negative-5.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Bacon moved to amend the title as follows:

Add the names: "Senators Eklund, Hackett, Hite, Jones, Lehner, Patton,

Seitz, Uecker."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

MOTIONS

Senator Manning moved that Senators absent the week of Sunday, December 4, 2016, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

On the motion of Senator Obhof, the Senate recessed until 8:03 p.m.

The Senate met pursuant to the recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has agreed to the report of the committee of Conference on matters of difference between the two houses on:

Am. Sub. H. B. No. 9 -Representative Boose – et al.

Attest:

Bradley J. Young,
Clerk.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bill:

H. B. No. 440 - Representative Anielski – et al.

Attest:

Bradley J. Young,
Clerk.

The President signed said bill.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 733.40(A)(4)(f) of Am. Sub. H.B. 59 of the 130th General Assembly, the President of the Senate appoints the following public

member to the BRIGHT Board of Directors:

Dr. Christopher Reeder (Montgomery County)

MESSAGE FROM THE PRESIDENT

Pursuant to Section 164.02(A) of the Ohio Revised Code, the President of the Senate appoints the following public member to serve on the Ohio Public Works Commission, replacing Mr. Haning who resigned:

John Jones (Jackson County)

On the motion of Senator Obhof, the Senate reverted to the second order of business, Reports of Standing and Select Committees.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **H. B. No. 34**-Representatives Retherford, Boose, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 7: BOB PETERSON, THOMAS F. PATTON, FRANK LAROSE, WILLIAM P. COLEY, II, WILLIAM SEITZ, TROY BALDERSON, KRIS JORDAN

NO - 3: DAVE BURKE, EDNA BROWN, MICHAEL J. SKINDELL

The question being, "Shall the report of the committee be accepted?"
The report of the committee was accepted.

RESOLUTIONS REPORTED BY COMMITTEE

S. C. R. No. 16-Senators Hottinger, Peterson.

To express support for the nomination of the Hopewell Ceremonial Earthworks as a United Nations Educational, Scientific, and Cultural Organization (UNESCO) World Heritage Site.

WHEREAS, The Hopewell Ceremonial Earthworks, located in Warren County, Ross County, and Licking County, were the epicenter of a vibrant American Indian culture that lived in Ohio approximately 2,000 years ago; and

WHEREAS, These sites were ceremonial and social centers, characterized by enormous earthwork constructions that feature precise

geometric shapes, standard units of measure, accurate alignments to the rising and setting of the sun and moon, and deposits of artifacts of exceptional artistic merit crafted from exotic raw materials obtained from as far away as the coast of the Atlantic Ocean and the Rocky Mountains; and

WHEREAS, Together, the Hopewell Ceremonial Earthworks are the best preserved examples of monumental earthworks constructed by the indigenous people and cultures in the Ohio Valley, which are distinct from other mound-building cultures in Eastern North America; and

WHEREAS, The Hopewell Ceremonial Earthworks have helped shape the public understanding of American Indian cultural developments and heritage in North America; and

WHEREAS, The Hopewell Ceremonial Earthworks are recognized nationally and internationally as a masterpiece of human creative genius and an exceptional testimony to past American Indian cultural traditions and knowledge; and

WHEREAS, The Hopewell Ceremonial sites at the Newark Earthworks and Fort Ancient, which are owned and managed by the Ohio History Connection, are currently listed as National Historic Landmarks; and

WHEREAS, The Hopewell Ceremonial sites of Hopeton, High Bank, Seip, Mound City, and Hopewell Mound Group are owned and managed by the National Park Service and are currently listed as National Historic Landmarks; and

WHEREAS, World Heritage Site designation of this collection of sites by UNESCO will attract significant domestic and international tourism to the Hopewell Ceremonial Earthworks and to the region, resulting in millions of dollars in increased spending and investment; and

WHEREAS, The 126th Ohio General Assembly designated the Newark Earthworks as Ohio's official prehistoric monument; and

WHEREAS, The Eastern Shawnee Tribe of Oklahoma, the Pokagon Band of Potawatomi, the National Congress of American Indians, and other Tribal Nations have expressed their support for the nomination of the Hopewell Ceremonial Earthworks as a UNESCO World Heritage Site; and

WHEREAS, The Hopewell Ceremonial Earthworks would be the first and only World Heritage Site located in Ohio; now therefore be it

RESOLVED, That we, the members of the 131st General Assembly of the state of Ohio, recognize the Hopewell Ceremonial Earthworks as having universal cultural significance and express support for the nomination of the Hopewell Ceremonial Earthworks as a UNESCO World Heritage Site; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated

copies of this resolution to the Director of the United States Department of the Interior, each member of the Ohio Congressional delegation, and the news media of Ohio.

The question being, "Shall the concurrent resolution, **S. C. R. No. 16**, be adopted?"

So the resolution was adopted.

The question being, "Shall the title be agreed to?"

Senator Peterson moved to amend the title as follows:

Add the names: "Senators Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hackett, Hite, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Oelslager, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Uecker, Williams."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Am. Sub. H. B. No. 444-Representative Blessing.

Cosponsors: Representatives Henne, Grossman, Hambley, Brenner, Conditt, Becker, Ramos, Thompson, Perales, Manning, Buchy, Boose, Dever, Rezabek, Sheehy, Brown, Ashford, Boyd, Dovilla, Driehaus, Duffey, Lepore-Hagan, O'Brien, M., Patterson, Phillips, Rogers, Scherer, Schuring, Slesnick, Sweeney. Senators Hackett, Uecker, Beagle, Hite.

To amend section 4301.22 of the Revised Code to allow A-1-A, A-1c, and certain D liquor permit holders to provide free tasting samples of beer, wine, and spirituous liquor, as applicable, to a person who is 21 years old or older and a paying customer of the permit holder, was considered the third time.

The question being, "Shall the bill, **Am. Sub. H. B. No. 444**, pass?"

Senator LaRose moved that he be excused from voting under Senate Rule No. 58.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Am. Sub. H. B. No. 444**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:
Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schiavoni	Seitz

Skindell
Williams

Tavares

Thomas

Uecker
Faber-30

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Hite moved to amend the title as follows:

Add the names: "Senators Balderson, Coley, Eklund, Oelslager, Seitz, Tavares, Thomas, Williams."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 451-Representative Boose.

Cosponsors: Representatives Pelanda, Grossman, Baker, Becker, Zeltwanger, Rogers, Butler, Manning, Celebrezze, Hambley, Sykes, Amstutz, Antonio, Ashford, Barnes, Blessing, Boggs, Boyd, Brown, Buchy, Conditt, Craig, Dever, Driehaus, Fedor, Hall, Hayes, Johnson, G., Kuhns, Lepore-Hagan, McClain, O'Brien, M., O'Brien, S., Patterson, Perales, Ramos, Reece, Rezabek, Ryan, Scherer, Schuring, Sheehy, Slaby, Smith, K., Smith, R., Sweeney, Terhar, Thompson, Young. Senators Bacon, Thomas.

To amend sections 1337.13, 1337.17, 2133.05, 2133.08, 2133.09, and 2133.12 of the Revised Code to provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding, to void any objections to a living will made by a person whose statutory priority would be so forfeited, and to provide that an attorney in fact under a durable power of attorney for health care is competent to make decisions pertaining to life-sustaining treatment, nutrition, or hydration, only if the attorney in fact is not subject to a temporary protection order or civil protection order in which the principal is the alleged victim, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 451**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Bacon moved to amend the title as follows:

Add the names: "Senators Balderson, Coley, Eklund, Faber, Hackett, Hughes, Manning, Oelslager, Peterson, Sawyer, Seitz, Tavares."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. Sub. H. B. No. 520-Representatives Schuring, Ramos.

Cosponsors: Representatives Amstutz, Antonio, Boyd, Craig, Fedor, Grossman, Howse, Manning, O'Brien, M., O'Brien, S., Patterson, Pelanda, Rogers, Smith, K., Smith, R., Sprague, Strahorn, Sweeney, Young.

To amend sections 145.01, 145.2911, 145.2912, 145.362, 145.384, 145.40, 145.43, 145.45, 742.105, 742.37, 742.3711, 742.47, 742.50, 742.63, 3305.052, 3305.06, 3307.01, 3307.15, 3307.35, 3307.42, 3307.48, 3307.501, 3307.53, 3307.562, 3307.58, 3307.63, 3307.66, 3307.67, 3307.71, 3307.763, 3307.764, 3307.77, 3307.78, 3309.01, 3309.013, 3309.30, 3309.392, 3309.42, 3309.474, 3309.75, 3309.76, 5505.01, 5505.04, 5505.16, 5505.17, 5505.18, 5505.19, 5505.21, 5505.29, 5505.30, 5505.51, 5505.52, and 5505.59; to enact sections 145.222, 145.334, 742.091, 742.17, 3307.131, 3307.354, 3307.514, 3309.212, and 5505.35; and to repeal sections 171.07, 3305.061, 3305.062, 3309.342, 3309.371, 3309.372, 3309.373, and 3309.54 of the Revised Code to revise the law governing the state's public retirement systems, was considered the third time.

The question being, "Shall the bill, **Am. Sub. H. B. No. 520**, pass?"

Senator Seitz moved to amend as follows:

In line 610, delete "2017" and insert "2016"

In line 3635, delete "2017" and insert "2016"

In line 5217, delete "2017" and insert "2016"

The question being, "Shall the amendment be agreed to?"

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. Sub. H. B. No. 520**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Uecker moved to amend the title as follows:

Add the names: "Senators Beagle, Coley, Hackett, Hottinger, Schiavoni, Seitz, Tavares, Thomas, Uecker."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. H. B. No. 532-Representative Smith, R.

Cosponsors: Representatives Antani, Baker, Bishoff, Clyde, Derickson, DeVitis, Dovilla, Leland, Lepore-Hagan, McClain, Reineke, Rogers, Ruhl, Smith, K., Sprague, Sweeney, Young.

To amend sections 4735.01, 4735.06, 4735.07, 4735.09, 4735.10, 4735.141, 4735.142, 4735.18, 4735.24, 4735.51, and 4735.65 and to enact sections 4735.081, 4735.091, and 4735.23 of the Revised Code relating to real estate brokers and salespersons, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 532**, pass?"

Senator Bacon moved that he be excused from voting under Senate Rule No. 58.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Am. H. B. No. 532**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

Balderson	Beagle	Brown	Burke
Coley	Eklund	Gardner	Gentile
Hackett	Hite	Hottinger	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schiavoni	Seitz
Skindell	Tavares	Thomas	Uecker
Williams			Faber-30

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator LaRose moved to amend the title as follows:

Add the names: "Senators Beagle, Coley, Eklund, Hackett, LaRose, Sawyer, Schiavoni, Seitz."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 554-Representative Amstutz.

Cosponsors: Representatives Hill, Landis, Schaffer.

To amend sections 4928.143, 4928.64, 4928.643, 4928.645, 4928.65, 4928.66, 4928.662, 4928.6610, and 5727.75 and to enact sections 4928.6620 and 4928.6621 of the Revised Code and to amend Section 6 of Sub. S.B. 310 of the 130th General Assembly and Section 257.80 of Am. Sub. H.B. 64 of the 131st General Assembly to revise the requirements for renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 554**, pass?"

The yeas and nays were taken and resulted – yeas 18, nays 13, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Burke	Coley
Eklund	Hackett	Hottinger	Hughes
Jones	Jordan	Lehner	Obhof
Oelslager	Patton	Peterson	Seitz
Uecker			Faber-18

Those who voted in the negative were: Senators

Beagle	Brown	Gardner	Gentile
Hite	LaRose	Manning	Sawyer
Schiavoni	Skindell	Tavares	Thomas
			Williams-13

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Seitz moved to amend the title as follows:

Add the names: "Senators Balderson, Burke, Coley, Eklund, Faber, Jones, Jordan."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 580-Representatives Johnson, T., Huffman.

Cosponsors: Representatives Grossman, Terhar, Slaby, Burkley, Thompson, Perales, Gonzales, Antonio, Barnes, Boyce, Celebrezze, Craig, Green, Leland, Patterson, Pelanda, Phillips, Ramos, Ruhl, Scherer, Sheehy, Sprague, Strahorn, Sweeney, Sykes.

To enact sections 5.238 and 5.239 of the Revised Code to designate the month of November as "One Health Awareness Month," to create the Malnutrition Prevention Commission to study malnutrition among older adults, and to designate May 15th as "All for the Kids Awareness Day", was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 580**, pass?"

Senator Obhof moved that **Sub. H. B. No. 580** be informally passed and retain its place on the calendar.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Sub. S. B. No. 235 -Senators Beagle, Coley

Cosponsors: Senators Eklund, Patton, Seitz Representatives Sprague, Anielski, Antonio, Driehaus, Grossman, Reineke, Schuring, Sheehy, Smith, K., Smith, R., Strahorn, Sweeney, Young, Speaker Rosenberger

To amend sections 122.121, 149.311, 339.02, 339.05, 749.07, 749.18, 951.02, 951.13, 1711.50, 1711.57, 4141.01, 4141.25, 4141.30, 4727.02, 4727.03, 4727.06, 4727.10, 4727.11, 4727.12, 4727.19, 4727.20, 5709.20, 5709.45, 5726.01, 5739.02, and 5739.03, to enact sections 718.60, 4175.01, 4175.02, 4175.03, 4175.04, 4175.05, 4175.06, 4175.07, 4175.08, and 5709.52 of the Revised Code, and to repeal Section 4 of Sub. H.B. 5 of the 130th General Assembly to authorize political subdivisions to exempt from property taxation the increased value of property on which industrial or commercial development is planned for up to six years, to make changes to Ohio's unemployment compensation law, and to modify laws governing other state and local government authority and operations.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Bradley J. Young,
Clerk.

Senator Obhof moved that the amendments of the House of Representatives to **Sub. S. B. No. 235**-Senators Beagle, Coley, be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 29, nays 2, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose

Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Thomas	Uecker	Williams
			Faber-29

Senators Skindell and Tavares voted in the negative-2.

So the Senate concurred in the amendments of the House of Representatives.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Sub. S. B. No. 127 -Senators Lehner, Hottinger

Cosponsors: Senators Uecker, Hite, Eklund, Jones, Burke, Gardner, Oelslager, Obhof, Faber, Jordan Representatives Antani, Amstutz, Blessing, Boose, Brinkman, Buchy, Burkley, Butler, Conditt, Cupp, DeVitis, Dovilla, Ginter, Goodman, Green, Hagan, Hall, Hambley, Hayes, Henne, Hill, Hood, Keller, Koehler, LaTourette, Maag, McColley, Merrin, Perales, Retherford, Roegner, Romanchuk, Schaffer, Sprague, Terhar, Thompson, Young, Speaker Rosenberger

To amend sections 2305.11 and 4731.22 and to enact sections 2307.54, 2919.20, 2919.201, 2919.202, 2919.203, 2919.204, and 2919.205 of the Revised Code to prohibit the performance of an abortion on a pregnant woman when the probable post-fertilization age of the unborn child is twenty weeks or greater.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Bradley J. Young,
Clerk.

Senator Obhof moved that the amendments of the House of Representatives to **Sub. S. B. No. 127**-Senators Lehner, Hottinger, be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The yeas and nays were taken and resulted – yeas 23, nays 8, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hackett
Hite	Hottinger	Hughes	Jones
Jordan	LaRose	Lehner	Manning

Obhof
Seitz

Oelslager
Uecker

Patton

Peterson
Faber-23

Senators Brown, Gentile, Sawyer, Schiavoni, Skindell, Tavares, Thomas, and Williams voted in the negative-8.

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 23, nays 8, as follows:

Those who voted in the affirmative were: Senators

Bacon

Balderson

Beagle

Burke

Coley

Eklund

Gardner

Hackett

Hite

Hottinger

Hughes

Jones

Jordan

LaRose

Lehner

Manning

Obhof

Oelslager

Patton

Peterson

Seitz

Uecker

Faber-23

Senators Brown, Gentile, Sawyer, Schiavoni, Skindell, Tavares, Thomas, and Williams voted in the negative-8.

So the Senate concurred in the amendments of the House of Representatives.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Am. Sub. S. B. No. 257 -Senators Seitz, Skindell

Cosponsors: Senators Eklund, Bacon, Brown, Jones, Oelslager, Schiavoni, Tavares, Thomas, Yuko Representatives Celebrezze, Antani, Antonio, Barnes, Blessing, Burkley, Butler, Perales, Rezabek, Sweeney

To amend section 5301.07 of the Revised Code to create a presumption of validity for recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments.

With the following additional amendments, in which the concurrence of the Senate is requested.

In line 1 of the title, delete "section" and insert "sections"; after "5301.07" insert ", 5709.40, 5709.73, 5709.77, 5709.78, and 5709.911"

In line 3 of the title, after ", " insert "to"

In line 5 of the title, after "and" insert "to"

In line 6 of the title, after "instruments" insert ", and to establish a

procedure by which political subdivisions proposing a tax increment financing (TIF) incentive district must notify affected property owners and permit them to exclude their property"

In line 7, delete "section" and insert "sections"; after "5301.07" insert ", 5709.40, 5709.73, 5709.77, 5709.78, and 5709.911"

Between lines 80 and 81, insert:

"Sec. 5709.40. (A) As used in this section:

(1) "Blighted area" and "impacted city" have the same meanings as in section 1728.01 of the Revised Code.

(2) "Business day" means a day of the week excluding Saturday, Sunday, and a legal holiday as defined under section 1.14 of the Revised Code.

(3) "Housing renovation" means a project carried out for residential purposes.

(4) "Improvement" means the increase in the assessed value of any real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of an ordinance adopted under this section were it not for the exemption granted by that ordinance.

(5) "Incentive district" means an area not more than three hundred acres in size enclosed by a continuous boundary in which a project is being, or will be, undertaken and having one or more of the following distress characteristics:

(a) At least fifty-one per cent of the residents of the district have incomes of less than eighty per cent of the median income of residents of the political subdivision in which the district is located, as determined in the same manner specified under section 119(b) of the "Housing and Community Development Act of 1974," 88 Stat. 633, 42 U.S.C. 5318, as amended;

(b) The average rate of unemployment in the district during the most recent twelve-month period for which data are available is equal to at least one hundred fifty per cent of the average rate of unemployment for this state for the same period.

(c) At least twenty per cent of the people residing in the district live at or below the poverty level as defined in the federal Housing and Community Development Act of 1974, 42 U.S.C. 5301, as amended, and regulations adopted pursuant to that act.

(d) The district is a blighted area.

(e) The district is in a situational distress area as designated by the director of development services under division (F) of section 122.23 of the Revised Code.

(f) As certified by the engineer for the political subdivision, the public infrastructure serving the district is inadequate to meet the development needs of the district as evidenced by a written economic development plan or urban renewal plan for the district that has been adopted by the legislative authority of the subdivision.

(g) The district is comprised entirely of unimproved land that is located in a distressed area as defined in section 122.23 of the Revised Code.

(6) "Overlay" means an area of not more than three hundred acres that is a square, or that is a rectangle having two longer sides that are not more than twice the length of the two shorter sides, that the legislative authority of a municipal corporation delineates on a map of a proposed incentive district.

(7) "Project" means development activities undertaken on one or more parcels, including, but not limited to, construction, expansion, and alteration of buildings or structures, demolition, remediation, and site development, and any building or structure that results from those activities.

(7)(8) "Public infrastructure improvement" includes, but is not limited to, public roads and highways; water and sewer lines; the continued maintenance of those public roads and highways and water and sewer lines; environmental remediation; land acquisition, including acquisition in aid of industry, commerce, distribution, or research; demolition, including demolition on private property when determined to be necessary for economic development purposes; stormwater and flood remediation projects, including such projects on private property when determined to be necessary for public health, safety, and welfare; the provision of gas, electric, and communications service facilities, including the provision of gas or electric service facilities owned by nongovernmental entities when such improvements are determined to be necessary for economic development purposes; and the enhancement of public waterways through improvements that allow for greater public access.

(B) The legislative authority of a municipal corporation, by ordinance, may declare improvements to certain parcels of real property located in the municipal corporation to be a public purpose. Improvements with respect to a parcel that is used or to be used for residential purposes may be declared a public purpose under this division only if the parcel is located in a blighted area of an impacted city. For this purpose, "parcel that is used or to be used for residential purposes" means a parcel that, as improved, is used or to be used for purposes that would cause the tax commissioner to classify the

parcel as residential property in accordance with rules adopted by the commissioner under section 5713.041 of the Revised Code. Except with the approval under division (D) of this section of the board of education of each city, local, or exempted village school district within which the improvements are located, not more than seventy-five per cent of an improvement thus declared to be a public purpose may be exempted from real property taxation for a period of not more than ten years. The ordinance shall specify the percentage of the improvement to be exempted from taxation and the life of the exemption.

An ordinance adopted or amended under this division shall designate the specific public infrastructure improvements made, to be made, or in the process of being made by the municipal corporation that directly benefit, or that once made will directly benefit, the parcels for which improvements are declared to be a public purpose. The service payments provided for in section 5709.42 of the Revised Code shall be used to finance the public infrastructure improvements designated in the ordinance, for the purpose described in division (D)(1) of this section or as provided in section 5709.43 of the Revised Code.

(C)(1) The legislative authority of a municipal corporation may adopt an ordinance creating an incentive district and declaring improvements to parcels within the district to be a public purpose and, except as provided in division ~~(F)~~(C)(2) of this section, exempt from taxation as provided in this section, but no legislative authority of a municipal corporation that has a population that exceeds twenty-five thousand, as shown by the most recent federal decennial census, shall adopt an ordinance that creates an incentive district if the sum of the taxable value of real property in the proposed district for the preceding tax year and the taxable value of all real property in the municipal corporation that would have been taxable in the preceding year were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation exceeds twenty-five per cent of the taxable value of real property in the municipal corporation for the preceding tax year. The ordinance shall delineate the boundary of the proposed district and specifically identify each parcel within the district. A proposed district may not include any parcel that is or has been exempted from taxation under division (B) of this section or that is or has been within another district created under this division. An ordinance may create more than one such district, and more than one ordinance may be adopted under division (C)(1) of this section.

(2)(a) Not later than thirty days prior to adopting an ordinance under division (C)(1) of this section, if the municipal corporation intends to apply for exemptions from taxation under section 5709.911 of the Revised Code on behalf of owners of real property located within the proposed incentive

district, the legislative authority of a the municipal corporation shall conduct a public hearing on the proposed ordinance. Not later than thirty days prior to the public hearing, the legislative authority shall give notice of the public hearing and the proposed ordinance by first class mail to every real property owner whose property is located within the boundaries of the proposed incentive district that is the subject of the proposed ordinance. The notice shall include a map of the proposed incentive district on which the legislative authority of the municipal corporation shall have delineated an overlay. The notice shall inform the property owner of the owner's right to exclude the owner's property from the incentive district if the owner's entire parcel of property will not be located within the overlay, by submitting a written response in accordance with division (C)(2)(b) of this section. The notice also shall include information detailing the required contents of the response, the address to which the response may be mailed, and the deadline for submitting the response.

(b) Any owner of real property located within the boundaries of an incentive district proposed under division (C)(1) of this section whose entire parcel of property is not located within the overlay may exclude the property from the proposed incentive district by submitting a written response to the legislative authority of the municipal corporation not later than forty-five days after the postmark date on the notice required under division (C)(2)(a) of this section. The response shall be sent by first class mail or delivered in person at a public hearing held by the legislative authority under division (C)(2)(a) of this section. The response shall conform to any content requirements that may be established by the municipal corporation and included in the notice provided under division (C)(2)(a) of this section. In the response, property owners may identify a parcel by street address, by the manner in which it is identified in the ordinance, or by other means allowing the identity of the parcel to be ascertained.

(c) Before adopting an ordinance under division (C)(1) of this section, the legislative authority of a municipal corporation shall amend the ordinance to exclude any parcel located wholly or partly outside the overlay for which a written response has been submitted under division (C)(2)(b) of this section. A municipal corporation shall not apply for exemptions from taxation under section 5709.911 of the Revised Code for any such parcel, and service payments may not be required from the owner of the parcel. Improvements to a parcel excluded from an incentive district under this division may be exempted from taxation under division (B) of this section pursuant to an ordinance adopted under that division or under any other section of the Revised Code under which the parcel qualifies.

(3)(a) An ordinance adopted under division (C)(1) of this section shall specify the life of the incentive district and the percentage of the

improvements to be exempted, shall designate the public infrastructure improvements made, to be made, or in the process of being made, that benefit or serve, or, once made, will benefit or serve parcels in the district. The ordinance also shall identify one or more specific projects being, or to be, undertaken in the district that place additional demand on the public infrastructure improvements designated in the ordinance. The project identified may, but need not be, the project under division (C)(3)(b) of this section that places real property in use for commercial or industrial purposes. Except as otherwise permitted under that division, the service payments provided for in section 5709.42 of the Revised Code shall be used to finance the designated public infrastructure improvements, for the purpose described in division (D)(1) ~~or~~, (E), or (F) of this section, or as provided in section 5709.43 of the Revised Code.

An ordinance adopted under division (C)(1) of this section on or after March 30, 2006, shall not designate police or fire equipment as public infrastructure improvements, and no service payment provided for in section 5709.42 of the Revised Code and received by the municipal corporation under the ordinance shall be used for police or fire equipment.

(b) An ordinance adopted under division (C)(1) of this section may authorize the use of service payments provided for in section 5709.42 of the Revised Code for the purpose of housing renovations within the incentive district, provided that the ordinance also designates public infrastructure improvements that benefit or serve the district, and that a project within the district places real property in use for commercial or industrial purposes. Service payments may be used to finance or support loans, deferred loans, and grants to persons for the purpose of housing renovations within the district. The ordinance shall designate the parcels within the district that are eligible for housing renovation. The ordinance shall state separately the amounts or the percentages of the expected aggregate service payments that are designated for each public infrastructure improvement and for the general purpose of housing renovations.

(4) Except with the approval of the board of education of each city, local, or exempted village school district within the territory of which the incentive district is or will be located, and subject to division (E) of this section, the life of an incentive district shall not exceed ten years, and the percentage of improvements to be exempted shall not exceed seventy-five per cent. With approval of the board of education, the life of a district may be not more than thirty years, and the percentage of improvements to be exempted may be not more than one hundred per cent. The approval of a board of education shall be obtained in the manner provided in division (D) of this section.

(D)(1) If the ordinance declaring improvements to a parcel to be a public purpose or creating an incentive district specifies that payments in lieu of taxes provided for in section 5709.42 of the Revised Code shall be paid to the city, local, or exempted village, and joint vocational school district in which the parcel or incentive district is located in the amount of the taxes that would have been payable to the school district if the improvements had not been exempted from taxation, the percentage of the improvement that may be exempted from taxation may exceed seventy-five per cent, and the exemption may be granted for up to thirty years, without the approval of the board of education as otherwise required under division (D)(2) of this section.

(2) Improvements with respect to a parcel may be exempted from taxation under division (B) of this section, and improvements to parcels within an incentive district may be exempted from taxation under division (C) of this section, for up to ten years or, with the approval under this paragraph of the board of education of the city, local, or exempted village school district within which the parcel or district is located, for up to thirty years. The percentage of the improvement exempted from taxation may, with such approval, exceed seventy-five per cent, but shall not exceed one hundred per cent. Not later than forty-five business days prior to adopting an ordinance under this section declaring improvements to be a public purpose that is subject to approval by a board of education under this division, the legislative authority shall deliver to the board of education a notice stating its intent to adopt an ordinance making that declaration. The notice regarding improvements with respect to a parcel under division (B) of this section shall identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period for which the improvements would be exempted from taxation and the percentage of the improvement that would be exempted, and indicate the date on which the legislative authority intends to adopt the ordinance. The notice regarding improvements to parcels within an incentive district under division (C) of this section shall delineate the boundaries of the district, specifically identify each parcel within the district, identify each anticipated improvement in the district, provide an estimate of the true value in money of each such improvement, specify the life of the district and the percentage of improvements that would be exempted, and indicate the date on which the legislative authority intends to adopt the ordinance. The board of education, by resolution adopted by a majority of the board, may approve the exemption for the period or for the exemption percentage specified in the notice; may disapprove the exemption for the number of years in excess of ten, may disapprove the exemption for the percentage of the improvement to be exempted in excess of seventy-five per cent, or both; or may approve the exemption on the condition that the

legislative authority and the board negotiate an agreement providing for compensation to the school district equal in value to a percentage of the amount of taxes exempted in the eleventh and subsequent years of the exemption period or, in the case of exemption percentages in excess of seventy-five per cent, compensation equal in value to a percentage of the taxes that would be payable on the portion of the improvement in excess of seventy-five per cent were that portion to be subject to taxation, or other mutually agreeable compensation. If an agreement is negotiated between the legislative authority and the board to compensate the school district for all or part of the taxes exempted, including agreements for payments in lieu of taxes under section 5709.42 of the Revised Code, the legislative authority shall compensate the joint vocational school district within which the parcel or district is located at the same rate and under the same terms received by the city, local, or exempted village school district.

(3) The board of education shall certify its resolution to the legislative authority not later than fourteen days prior to the date the legislative authority intends to adopt the ordinance as indicated in the notice. If the board of education and the legislative authority negotiate a mutually acceptable compensation agreement, the ordinance may declare the improvements a public purpose for the number of years specified in the ordinance or, in the case of exemption percentages in excess of seventy-five per cent, for the exemption percentage specified in the ordinance. In either case, if the board and the legislative authority fail to negotiate a mutually acceptable compensation agreement, the ordinance may declare the improvements a public purpose for not more than ten years, and shall not exempt more than seventy-five per cent of the improvements from taxation. If the board fails to certify a resolution to the legislative authority within the time prescribed by this division, the legislative authority thereupon may adopt the ordinance and may declare the improvements a public purpose for up to thirty years, or, in the case of exemption percentages proposed in excess of seventy-five per cent, for the exemption percentage specified in the ordinance. The legislative authority may adopt the ordinance at any time after the board of education certifies its resolution approving the exemption to the legislative authority, or, if the board approves the exemption on the condition that a mutually acceptable compensation agreement be negotiated, at any time after the compensation agreement is agreed to by the board and the legislative authority.

(4) If a board of education has adopted a resolution waiving its right to approve exemptions from taxation under this section and the resolution remains in effect, approval of exemptions by the board is not required under division (D) of this section. If a board of education has adopted a resolution allowing a legislative authority to deliver the notice required under division

(D) of this section fewer than forty-five business days prior to the legislative authority's adoption of the ordinance, the legislative authority shall deliver the notice to the board not later than the number of days prior to such adoption as prescribed by the board in its resolution. If a board of education adopts a resolution waiving its right to approve agreements or shortening the notification period, the board shall certify a copy of the resolution to the legislative authority. If the board of education rescinds such a resolution, it shall certify notice of the rescission to the legislative authority.

(5) If the legislative authority is not required by division (D) of this section to notify the board of education of the legislative authority's intent to declare improvements to be a public purpose, the legislative authority shall comply with the notice requirements imposed under section 5709.83 of the Revised Code, unless the board has adopted a resolution under that section waiving its right to receive such a notice.

(E)(1) If a proposed ordinance under division (C)(1) of this section exempts improvements with respect to a parcel within an incentive district for more than ten years, or the percentage of the improvement exempted from taxation exceeds seventy-five per cent, not later than forty-five business days prior to adopting the ordinance the legislative authority of the municipal corporation shall deliver to the board of county commissioners of the county within which the incentive district will be located a notice that states its intent to adopt an ordinance creating an incentive district. The notice shall include a copy of the proposed ordinance, identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period of time for which the improvements would be exempted from taxation, specify the percentage of the improvements that would be exempted from taxation, and indicate the date on which the legislative authority intends to adopt the ordinance.

(2) The board of county commissioners, by resolution adopted by a majority of the board, may object to the exemption for the number of years in excess of ten, may object to the exemption for the percentage of the improvement to be exempted in excess of seventy-five per cent, or both. If the board of county commissioners objects, the board may negotiate a mutually acceptable compensation agreement with the legislative authority. In no case shall the compensation provided to the board exceed the property taxes forgone due to the exemption. If the board of county commissioners objects, and the board and legislative authority fail to negotiate a mutually acceptable compensation agreement, the ordinance adopted under division (C)(1) of this section shall provide to the board compensation in the eleventh and subsequent years of the exemption period equal in value to not more than fifty per cent of the taxes that would be payable to the county or, if the board's objection includes an objection to an exemption percentage in excess

of seventy-five per cent, compensation equal in value to not more than fifty per cent of the taxes that would be payable to the county, on the portion of the improvement in excess of seventy-five per cent, were that portion to be subject to taxation. The board of county commissioners shall certify its resolution to the legislative authority not later than thirty days after receipt of the notice.

(3) If the board of county commissioners does not object or fails to certify its resolution objecting to an exemption within thirty days after receipt of the notice, the legislative authority may adopt the ordinance, and no compensation shall be provided to the board of county commissioners. If the board timely certifies its resolution objecting to the ordinance, the legislative authority may adopt the ordinance at any time after a mutually acceptable compensation agreement is agreed to by the board and the legislative authority, or, if no compensation agreement is negotiated, at any time after the legislative authority agrees in the proposed ordinance to provide compensation to the board of fifty per cent of the taxes that would be payable to the county in the eleventh and subsequent years of the exemption period or on the portion of the improvement in excess of seventy-five per cent, were that portion to be subject to taxation.

(F) Service payments in lieu of taxes that are attributable to any amount by which the effective tax rate of either a renewal levy with an increase or a replacement levy exceeds the effective tax rate of the levy renewed or replaced, or that are attributable to an additional levy, for a levy authorized by the voters for any of the following purposes on or after January 1, 2006, and which are provided pursuant to an ordinance creating an incentive district under division (C)(1) of this section that is adopted on or after January 1, 2006, shall be distributed to the appropriate taxing authority as required under division (C) of section 5709.42 of the Revised Code in an amount equal to the amount of taxes from that additional levy or from the increase in the effective tax rate of such renewal or replacement levy that would have been payable to that taxing authority from the following levies were it not for the exemption authorized under division (C) of this section:

(1) A tax levied under division (L) of section 5705.19 or section 5705.191 or 5705.222 of the Revised Code for community developmental disabilities programs and services pursuant to Chapter 5126. of the Revised Code;

(2) A tax levied under division (Y) of section 5705.19 of the Revised Code for providing or maintaining senior citizens services or facilities;

(3) A tax levied under section 5705.22 of the Revised Code for county hospitals;

(4) A tax levied by a joint-county district or by a county under section 5705.19, 5705.191, or 5705.221 of the Revised Code for alcohol, drug addiction, and mental health services or facilities;

(5) A tax levied under section 5705.23 of the Revised Code for library purposes;

(6) A tax levied under section 5705.24 of the Revised Code for the support of children services and the placement and care of children;

(7) A tax levied under division (Z) of section 5705.19 of the Revised Code for the provision and maintenance of zoological park services and facilities under section 307.76 of the Revised Code;

(8) A tax levied under section 511.27 or division (H) of section 5705.19 of the Revised Code for the support of township park districts;

(9) A tax levied under division (A), (F), or (H) of section 5705.19 of the Revised Code for parks and recreational purposes of a joint recreation district organized pursuant to division (B) of section 755.14 of the Revised Code;

(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;

(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;

(12) A tax levied under section 3709.29 of the Revised Code for a general health district program.

(G) An exemption from taxation granted under this section commences with the tax year specified in the ordinance so long as the year specified in the ordinance commences after the effective date of the ordinance. If the ordinance specifies a year commencing before the effective date of the resolution or specifies no year whatsoever, the exemption commences with the tax year in which an exempted improvement first appears on the tax list and duplicate of real and public utility property and that commences after the effective date of the ordinance. In lieu of stating a specific year, the ordinance may provide that the exemption commences in the tax year in which the value of an improvement exceeds a specified amount or in which the construction of one or more improvements is completed, provided that such tax year commences after the effective date of the ordinance. With respect to the exemption of improvements to parcels under division (B) of this section, the ordinance may allow for the exemption

to commence in different tax years on a parcel-by-parcel basis, with a separate exemption term specified for each parcel.

Except as otherwise provided in this division, the exemption ends on the date specified in the ordinance as the date the improvement ceases to be a public purpose or the incentive district expires, or ends on the date on which the public infrastructure improvements and housing renovations are paid in full from the municipal public improvement tax increment equivalent fund established under division (A) of section 5709.43 of the Revised Code, whichever occurs first. The exemption of an improvement with respect to a parcel or within an incentive district may end on a later date, as specified in the ordinance, if the legislative authority and the board of education of the city, local, or exempted village school district within which the parcel or district is located have entered into a compensation agreement under section 5709.82 of the Revised Code with respect to the improvement, and the board of education has approved the term of the exemption under division (D)(2) of this section, but in no case shall the improvement be exempted from taxation for more than thirty years. Exemptions shall be claimed and allowed in the same manner as in the case of other real property exemptions. If an exemption status changes during a year, the procedure for the apportionment of the taxes for that year is the same as in the case of other changes in tax exemption status during the year.

(H) Additional municipal financing of public infrastructure improvements and housing renovations may be provided by any methods that the municipal corporation may otherwise use for financing such improvements or renovations. If the municipal corporation issues bonds or notes to finance the public infrastructure improvements and housing renovations and pledges money from the municipal public improvement tax increment equivalent fund to pay the interest on and principal of the bonds or notes, the bonds or notes are not subject to Chapter 133. of the Revised Code.

(I) The municipal corporation, not later than fifteen days after the adoption of an ordinance under this section, shall submit to the director of development services a copy of the ordinance. On or before the thirty-first day of March of each year, the municipal corporation shall submit a status report to the director of development services. The report shall indicate, in the manner prescribed by the director, the progress of the project during each year that an exemption remains in effect, including a summary of the receipts from service payments in lieu of taxes; expenditures of money from the funds created under section 5709.43 of the Revised Code; a description of the public infrastructure improvements and housing renovations financed with such expenditures; and a quantitative summary of changes in employment and private investment resulting from each project.

(J) Nothing in this section shall be construed to prohibit a legislative authority from declaring to be a public purpose improvements with respect to more than one parcel.

(K) If a parcel is located in a new community district in which the new community authority imposes a community development charge on the basis of rentals received from leases of real property as described in division (L)(2) of section 349.01 of the Revised Code, the parcel may not be exempted from taxation under this section.

Sec. 5709.73. (A) As used in this section and section 5709.74 of the Revised Code:

(1) "Business day" means a day of the week excluding Saturday, Sunday, and a legal holiday as defined in section 1.14 of the Revised Code.

(2) "Further improvements" or "improvements" means the increase in the assessed value of real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of a resolution adopted under this section were it not for the exemption granted by that resolution. For purposes of division (B) of this section, "improvements" do not include any property used or to be used for residential purposes. For this purpose, "property that is used or to be used for residential purposes" means property that, as improved, is used or to be used for purposes that would cause the tax commissioner to classify the property as residential property in accordance with rules adopted by the commissioner under section 5713.041 of the Revised Code.

(3) "Housing renovation" means a project carried out for residential purposes.

(4) "Incentive district" has the same meaning as in section 5709.40 of the Revised Code, except that a blighted area is in the unincorporated area of a township.

(5) "Overlay" has the same meaning as in section 5709.40 of the Revised Code, except that the overlay is delineated by the board of township trustees.

(6) "Project" and "public infrastructure improvement" have the same meanings as in section 5709.40 of the Revised Code.

(B) A board of township trustees may, by unanimous vote, adopt a resolution that declares to be a public purpose any public infrastructure improvements made that are necessary for the development of certain parcels of land located in the unincorporated area of the township. Except with the approval under division (D) of this section of the board of education of each

city, local, or exempted village school district within which the improvements are located, the resolution may exempt from real property taxation not more than seventy-five per cent of further improvements to a parcel of land that directly benefits from the public infrastructure improvements, for a period of not more than ten years. The resolution shall specify the percentage of the further improvements to be exempted and the life of the exemption.

(C)(1) A board of township trustees may adopt, by unanimous vote, a resolution creating an incentive district and declaring improvements to parcels within the district to be a public purpose and, except as provided in division ~~(F)~~~~(C)(2)~~ of this section, exempt from taxation as provided in this section, but no board of township trustees of a township that has a population that exceeds twenty-five thousand, as shown by the most recent federal decennial census, shall adopt a resolution that creates an incentive district if the sum of the taxable value of real property in the proposed district for the preceding tax year and the taxable value of all real property in the township that would have been taxable in the preceding year were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation exceeds twenty-five per cent of the taxable value of real property in the township for the preceding tax year. The district shall be located within the unincorporated area of the township and shall not include any territory that is included within a district created under division (B) of section 5709.78 of the Revised Code. The resolution shall delineate the boundary of the proposed district and specifically identify each parcel within the district. A proposed district may not include any parcel that is or has been exempted from taxation under division (B) of this section or that is or has been within another district created under this division. A resolution may create more than one such district, and more than one resolution may be adopted under division (C)(1) of this section.

(2)(a) Not later than thirty days prior to adopting a resolution under division (C)(1) of this section, if the township intends to apply for exemptions from taxation under section 5709.911 of the Revised Code on behalf of owners of real property located within the proposed incentive district, the board shall conduct a public hearing on the proposed resolution. Not later than thirty days prior to the public hearing, the board shall give notice of the public hearing and the proposed resolution by first class mail to every real property owner whose property is located within the boundaries of the proposed incentive district that is the subject of the proposed resolution. The notice shall include a map of the proposed incentive district on which the board of township trustees shall have delineated an overlay. The notice shall inform the property owner of the owner's right to exclude the owner's property from the incentive district if both of the following conditions are met:

(i) The owner's entire parcel of property will not be located within the overlay.

(ii) The owner has submitted a statement to the board of county commissioners of the county in which the parcel is located indicating the owner's intent to seek a tax exemption for improvements to the owner's parcel under division (A) or (B) of section 5709.78 of the Revised Code within the next five years.

When both of the preceding conditions are met, the owner may exclude the owner's property from the incentive district by submitting a written response in accordance with division (C)(2)(b) of this section. The notice also shall include information detailing the required contents of the response, the address to which the response may be mailed, and the deadline for submitting the response.

(b) Any owner of real property located within the boundaries of an incentive district proposed under division (C)(1) of this section who meets the conditions specified in divisions (C)(2)(a)(i) and (ii) of this section may exclude the property from the proposed incentive district by submitting a written response to the board not later than forty-five days after the postmark date on the notice required under division (C)(2)(a) of this section. The response shall include a copy of the statement submitted under division (C)(2)(a)(ii) of this section. The response shall be sent by first class mail or delivered in person at a public hearing held by the board under division (C)(2)(a) of this section. The response shall conform to any content requirements that may be established by the board and included in the notice provided under division (C)(2)(a) of this section. In the response, property owners may identify a parcel by street address, by the manner in which it is identified in the resolution, or by other means allowing the identity of the parcel to be ascertained.

(c) Before adopting a resolution under division (C)(1) of this section, the board shall amend the resolution to exclude any parcel for which a written response has been submitted under division (C)(2)(b) of this section. A township shall not apply for exemptions from taxation under section 5709.911 of the Revised Code for any such parcel, and service payments may not be required from the owner of the parcel. Improvements to a parcel excluded from an incentive district under this division may be exempted from taxation under division (B) of this section pursuant to a resolution adopted under that division or under any other section of the Revised Code under which the parcel qualifies.

(3)(a) A resolution adopted under division (C)(1) of this section shall specify the life of the incentive district and the percentage of the improvements to be exempted, shall designate the public infrastructure

improvements made, to be made, or in the process of being made, that benefit or serve, or, once made, will benefit or serve parcels in the district. The resolution also shall identify one or more specific projects being, or to be, undertaken in the district that place additional demand on the public infrastructure improvements designated in the resolution. The project identified may, but need not be, the project under division (C)(3)(b) of this section that places real property in use for commercial or industrial purposes.

A resolution adopted under division (C)(1) of this section on or after March 30, 2006, shall not designate police or fire equipment as public infrastructure improvements, and no service payment provided for in section 5709.74 of the Revised Code and received by the township under the resolution shall be used for police or fire equipment.

(b) A resolution adopted under division (C)(1) of this section may authorize the use of service payments provided for in section 5709.74 of the Revised Code for the purpose of housing renovations within the incentive district, provided that the resolution also designates public infrastructure improvements that benefit or serve the district, and that a project within the district places real property in use for commercial or industrial purposes. Service payments may be used to finance or support loans, deferred loans, and grants to persons for the purpose of housing renovations within the district. The resolution shall designate the parcels within the district that are eligible for housing renovations. The resolution shall state separately the amount or the percentages of the expected aggregate service payments that are designated for each public infrastructure improvement and for the purpose of housing renovations.

(4) Except with the approval of the board of education of each city, local, or exempted village school district within the territory of which the incentive district is or will be located, and subject to division (E) of this section, the life of an incentive district shall not exceed ten years, and the percentage of improvements to be exempted shall not exceed seventy-five per cent. With approval of the board of education, the life of a district may be not more than thirty years, and the percentage of improvements to be exempted may be not more than one hundred per cent. The approval of a board of education shall be obtained in the manner provided in division (D) of this section.

(D) Improvements with respect to a parcel may be exempted from taxation under division (B) of this section, and improvements to parcels within an incentive district may be exempted from taxation under division (C) of this section, for up to ten years or, with the approval of the board of education of the city, local, or exempted village school district within which the parcel or district is located, for up to thirty years. The percentage of the

improvements exempted from taxation may, with such approval, exceed seventy-five per cent, but shall not exceed one hundred per cent. Not later than forty-five business days prior to adopting a resolution under this section declaring improvements to be a public purpose that is subject to approval by a board of education under this division, the board of township trustees shall deliver to the board of education a notice stating its intent to adopt a resolution making that declaration. The notice regarding improvements with respect to a parcel under division (B) of this section shall identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period for which the improvements would be exempted from taxation and the percentage of the improvements that would be exempted, and indicate the date on which the board of township trustees intends to adopt the resolution. The notice regarding improvements made under division (C) of this section to parcels within an incentive district shall delineate the boundaries of the district, specifically identify each parcel within the district, identify each anticipated improvement in the district, provide an estimate of the true value in money of each such improvement, specify the life of the district and the percentage of improvements that would be exempted, and indicate the date on which the board of township trustees intends to adopt the resolution. The board of education, by resolution adopted by a majority of the board, may approve the exemption for the period or for the exemption percentage specified in the notice; may disapprove the exemption for the number of years in excess of ten, may disapprove the exemption for the percentage of the improvements to be exempted in excess of seventy-five per cent, or both; or may approve the exemption on the condition that the board of township trustees and the board of education negotiate an agreement providing for compensation to the school district equal in value to a percentage of the amount of taxes exempted in the eleventh and subsequent years of the exemption period or, in the case of exemption percentages in excess of seventy-five per cent, compensation equal in value to a percentage of the taxes that would be payable on the portion of the improvements in excess of seventy-five per cent were that portion to be subject to taxation, or other mutually agreeable compensation.

The board of education shall certify its resolution to the board of township trustees not later than fourteen days prior to the date the board of township trustees intends to adopt the resolution as indicated in the notice. If the board of education and the board of township trustees negotiate a mutually acceptable compensation agreement, the resolution may declare the improvements a public purpose for the number of years specified in the resolution or, in the case of exemption percentages in excess of seventy-five per cent, for the exemption percentage specified in the resolution. In either case, if the board of education and the board of township trustees fail to

negotiate a mutually acceptable compensation agreement, the resolution may declare the improvements a public purpose for not more than ten years, and shall not exempt more than seventy-five per cent of the improvements from taxation. If the board of education fails to certify a resolution to the board of township trustees within the time prescribed by this section, the board of township trustees thereupon may adopt the resolution and may declare the improvements a public purpose for up to thirty years or, in the case of exemption percentages proposed in excess of seventy-five per cent, for the exemption percentage specified in the resolution. The board of township trustees may adopt the resolution at any time after the board of education certifies its resolution approving the exemption to the board of township trustees, or, if the board of education approves the exemption on the condition that a mutually acceptable compensation agreement be negotiated, at any time after the compensation agreement is agreed to by the board of education and the board of township trustees. If a mutually acceptable compensation agreement is negotiated between the board of township trustees and the board of education, including agreements for payments in lieu of taxes under section 5709.74 of the Revised Code, the board of township trustees shall compensate the joint vocational school district within which the parcel or district is located at the same rate and under the same terms received by the city, local, or exempted village school district.

If a board of education has adopted a resolution waiving its right to approve exemptions from taxation under this section and the resolution remains in effect, approval of such exemptions by the board of education is not required under division (D) of this section. If a board of education has adopted a resolution allowing a board of township trustees to deliver the notice required under division (D) of this section fewer than forty-five business days prior to adoption of the resolution by the board of township trustees, the board of township trustees shall deliver the notice to the board of education not later than the number of days prior to the adoption as prescribed by the board of education in its resolution. If a board of education adopts a resolution waiving its right to approve exemptions or shortening the notification period, the board of education shall certify a copy of the resolution to the board of township trustees. If the board of education rescinds the resolution, it shall certify notice of the rescission to the board of township trustees.

If the board of township trustees is not required by division (D) of this section to notify the board of education of the board of township trustees' intent to declare improvements to be a public purpose, the board of township trustees shall comply with the notice requirements imposed under section 5709.83 of the Revised Code before taking formal action to adopt the resolution making that declaration, unless the board of education has

adopted a resolution under that section waiving its right to receive the notice.

(E)(1) If a proposed resolution under division (C)(1) of this section exempts improvements with respect to a parcel within an incentive district for more than ten years, or the percentage of the improvement exempted from taxation exceeds seventy-five per cent, not later than forty-five business days prior to adopting the resolution the board of township trustees shall deliver to the board of county commissioners of the county within which the incentive district is or will be located a notice that states its intent to adopt a resolution creating an incentive district. The notice shall include a copy of the proposed resolution, identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period of time for which the improvements would be exempted from taxation, specify the percentage of the improvements that would be exempted from taxation, and indicate the date on which the board of township trustees intends to adopt the resolution.

(2) The board of county commissioners, by resolution adopted by a majority of the board, may object to the exemption for the number of years in excess of ten, may object to the exemption for the percentage of the improvement to be exempted in excess of seventy-five per cent, or both. If the board of county commissioners objects, the board may negotiate a mutually acceptable compensation agreement with the board of township trustees. In no case shall the compensation provided to the board of county commissioners exceed the property taxes foregone due to the exemption. If the board of county commissioners objects, and the board of county commissioners and board of township trustees fail to negotiate a mutually acceptable compensation agreement, the resolution adopted under division (C)(1) of this section shall provide to the board of county commissioners compensation in the eleventh and subsequent years of the exemption period equal in value to not more than fifty per cent of the taxes that would be payable to the county or, if the board of county commissioner's objection includes an objection to an exemption percentage in excess of seventy-five per cent, compensation equal in value to not more than fifty per cent of the taxes that would be payable to the county, on the portion of the improvement in excess of seventy-five per cent, were that portion to be subject to taxation. The board of county commissioners shall certify its resolution to the board of township trustees not later than thirty days after receipt of the notice.

(3) If the board of county commissioners does not object or fails to certify its resolution objecting to an exemption within thirty days after receipt of the notice, the board of township trustees may adopt its resolution, and no compensation shall be provided to the board of county commissioners. If the board of county commissioners timely certifies its resolution objecting to the

trustees' resolution, the board of township trustees may adopt its resolution at any time after a mutually acceptable compensation agreement is agreed to by the board of county commissioners and the board of township trustees, or, if no compensation agreement is negotiated, at any time after the board of township trustees agrees in the proposed resolution to provide compensation to the board of county commissioners of fifty per cent of the taxes that would be payable to the county in the eleventh and subsequent years of the exemption period or on the portion of the improvement in excess of seventy-five per cent, were that portion to be subject to taxation.

(F) Service payments in lieu of taxes that are attributable to any amount by which the effective tax rate of either a renewal levy with an increase or a replacement levy exceeds the effective tax rate of the levy renewed or replaced, or that are attributable to an additional levy, for a levy authorized by the voters for any of the following purposes on or after January 1, 2006, and which are provided pursuant to a resolution creating an incentive district under division (C)(1) of this section that is adopted on or after January 1, 2006, shall be distributed to the appropriate taxing authority as required under division (C) of section 5709.74 of the Revised Code in an amount equal to the amount of taxes from that additional levy or from the increase in the effective tax rate of such renewal or replacement levy that would have been payable to that taxing authority from the following levies were it not for the exemption authorized under division (C) of this section:

(1) A tax levied under division (L) of section 5705.19 or section 5705.191 of the Revised Code for community mental retardation and developmental disabilities programs and services pursuant to Chapter 5126. of the Revised Code;

(2) A tax levied under division (Y) of section 5705.19 of the Revised Code for providing or maintaining senior citizens services or facilities;

(3) A tax levied under section 5705.22 of the Revised Code for county hospitals;

(4) A tax levied by a joint-county district or by a county under section 5705.19, 5705.191, or 5705.221 of the Revised Code for alcohol, drug addiction, and mental health services or families;

(5) A tax levied under section 5705.23 of the Revised Code for library purposes;

(6) A tax levied under section 5705.24 of the Revised Code for the support of children services and the placement and care of children;

(7) A tax levied under division (Z) of section 5705.19 of the Revised Code for the provision and maintenance of zoological park services and

facilities under section 307.76 of the Revised Code;

(8) A tax levied under section 511.27 or division (H) of section 5705.19 of the Revised Code for the support of township park districts;

(9) A tax levied under division (A), (F), or (H) of section 5705.19 of the Revised Code for parks and recreational purposes of a joint recreation district organized pursuant to division (B) of section 755.14 of the Revised Code;

(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;

(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;

(12) A tax levied under section 3709.29 of the Revised Code for a general health district program.

(G) An exemption from taxation granted under this section commences with the tax year specified in the resolution so long as the year specified in the resolution commences after the effective date of the resolution. If the resolution specifies a year commencing before the effective date of the resolution or specifies no year whatsoever, the exemption commences with the tax year in which an exempted improvement first appears on the tax list and duplicate of real and public utility property and that commences after the effective date of the resolution. In lieu of stating a specific year, the resolution may provide that the exemption commences in the tax year in which the value of an improvement exceeds a specified amount or in which the construction of one or more improvements is completed, provided that such tax year commences after the effective date of the resolution. With respect to the exemption of improvements to parcels under division (B) of this section, the resolution may allow for the exemption to commence in different tax years on a parcel-by-parcel basis, with a separate exemption term specified for each parcel.

Except as otherwise provided in this division, the exemption ends on the date specified in the resolution as the date the improvement ceases to be a public purpose or the incentive district expires, or ends on the date on which the public infrastructure improvements and housing renovations are paid in full from the township public improvement tax increment equivalent fund established under section 5709.75 of the Revised Code, whichever occurs first. The exemption of an improvement with respect to a parcel or within an incentive district may end on a later date, as specified in the resolution, if the

board of township trustees and the board of education of the city, local, or exempted village school district within which the parcel or district is located have entered into a compensation agreement under section 5709.82 of the Revised Code with respect to the improvement and the board of education has approved the term of the exemption under division (D) of this section, but in no case shall the improvement be exempted from taxation for more than thirty years. The board of township trustees may, by majority vote, adopt a resolution permitting the township to enter into such agreements as the board finds necessary or appropriate to provide for the construction or undertaking of public infrastructure improvements and housing renovations. Any exemption shall be claimed and allowed in the same or a similar manner as in the case of other real property exemptions. If an exemption status changes during a tax year, the procedure for the apportionment of the taxes for that year is the same as in the case of other changes in tax exemption status during the year.

(H) The board of township trustees may issue the notes of the township to finance all costs pertaining to the construction or undertaking of public infrastructure improvements and housing renovations made pursuant to this section. The notes shall be signed by the board and attested by the signature of the township fiscal officer, shall bear interest not to exceed the rate provided in section 9.95 of the Revised Code, and are not subject to Chapter 133. of the Revised Code. The resolution authorizing the issuance of the notes shall pledge the funds of the township public improvement tax increment equivalent fund established pursuant to section 5709.75 of the Revised Code to pay the interest on and principal of the notes. The notes, which may contain a clause permitting prepayment at the option of the board, shall be offered for sale on the open market or given to the vendor or contractor if no sale is made.

(I) The township, not later than fifteen days after the adoption of a resolution under this section, shall submit to the director of development services a copy of the resolution. On or before the thirty-first day of March of each year, the township shall submit a status report to the director of development services. The report shall indicate, in the manner prescribed by the director, the progress of the project during each year that the exemption remains in effect, including a summary of the receipts from service payments in lieu of taxes; expenditures of money from the fund created under section 5709.75 of the Revised Code; a description of the public infrastructure improvements and housing renovations financed with the expenditures; and a quantitative summary of changes in private investment resulting from each project.

(J) Nothing in this section shall be construed to prohibit a board of township trustees from declaring to be a public purpose improvements with

respect to more than one parcel.

If a parcel is located in a new community district in which the new community authority imposes a community development charge on the basis of rentals received from leases of real property as described in division (L)(2) of section 349.01 of the Revised Code, the parcel may not be exempted from taxation under this section.

(K) A board of township trustees that adopted a resolution under this section prior to July 21, 1994, may amend that resolution to include any additional public infrastructure improvement. A board of township trustees that seeks by the amendment to utilize money from its township public improvement tax increment equivalent fund for land acquisition in aid of industry, commerce, distribution, or research, demolition on private property, or stormwater and flood remediation projects may do so provided that the board currently is a party to a hold-harmless agreement with the board of education of the city, local, or exempted village school district within the territory of which are located the parcels that are subject to an exemption. For the purposes of this division, a "hold-harmless agreement" means an agreement under which the board of township trustees agrees to compensate the school district for one hundred per cent of the tax revenue that the school district would have received from further improvements to parcels designated in the resolution were it not for the exemption granted by the resolution.

(L) Notwithstanding the limitation prescribed by division (D) of this section on the number of years that improvements to a parcel or parcels may be exempted from taxation, a board of trustees of a township with a population of fifteen thousand or more may amend a resolution originally adopted under this section before December 31, 1994, to extend the exemption of improvements to the parcel or parcels included in such resolution for an additional period not to exceed fifteen years. The amendment shall not increase the percentage of improvements to the parcel or parcels exempted from taxation. The board of township trustees shall comply with the notice requirements imposed under section 5709.83 of the Revised Code before taking formal action to adopt an amendment authorized under this division unless the board of education has adopted a resolution under that section waiving its right to receive the notice. The board of township trustees shall deliver an identical notice to the board of county commissioners of each county in which the exempted parcels are located.

Sec. 5709.77. As used in sections 5709.77 to 5709.81 of the Revised Code:

(A) "Business day" means a day of the week excluding Saturday, Sunday, and a legal holiday as defined in section 1.14 of the Revised Code.

(B) "Fund" means to provide for the payment of the debt service on and the expenses relating to an outstanding obligation of the county.

(C) "Housing renovation" means a project carried out for residential purposes.

(D) "Improvement" means the increase in the assessed value of real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of a resolution adopted under section 5709.78 of the Revised Code were it not for the exemption granted by that resolution. For purposes of division (A) of section 5709.78 of the Revised Code, "improvement" does not include any property used or to be used for residential purposes. For this purpose, "property that is used or to be used for residential purposes" means property that, as improved, is used or to be used for purposes that would cause the tax commissioner to classify the property as residential property in accordance with rules adopted by the commissioner under section 5713.041 of the Revised Code.

(E) "Incentive district" has the same meaning as in section 5709.40 of the Revised Code, except that a blighted area is in the unincorporated territory of a county.

(F) "Refund" means to fund and retire an outstanding obligation of the county.

(G) "Overlay" has the same meaning as in section 5709.40 of the Revised Code, except that the overlay is delineated by the board of county commissioners.

(H) "Project" and "public infrastructure improvement" have the same meanings as in section 5709.40 of the Revised Code.

Sec. 5709.78. (A) A board of county commissioners may, by resolution, declare improvements to certain parcels of real property located in the unincorporated territory of the county to be a public purpose. Except with the approval under division (C) of this section of the board of education of each city, local, or exempted village school district within which the improvements are located, not more than seventy-five per cent of an improvement thus declared to be a public purpose may be exempted from real property taxation, for a period of not more than ten years. The resolution shall specify the percentage of the improvement to be exempted and the life of the exemption.

A resolution adopted under this division shall designate the specific public infrastructure improvements made, to be made, or in the process of being made by the county that directly benefit, or that once made will directly benefit, the parcels for which improvements are declared to be a

public purpose. The service payments provided for in section 5709.79 of the Revised Code shall be used to finance the public infrastructure improvements designated in the resolution, or as provided in section 5709.80 of the Revised Code.

(B)(1) A board of county commissioners may adopt a resolution creating an incentive district and declaring improvements to parcels within the district to be a public purpose and, except as provided in division ~~(E)~~(B) (2) of this section, exempt from taxation as provided in this section, but no board of county commissioners of a county that has a population that exceeds twenty-five thousand, as shown by the most recent federal decennial census, shall adopt a resolution that creates an incentive district if the sum of the taxable value of real property in the proposed district for the preceding tax year and the taxable value of all real property in the county that would have been taxable in the preceding year were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation exceeds twenty-five per cent of the taxable value of real property in the county for the preceding tax year. The district shall be located within the unincorporated territory of the county and shall not include any territory that is included within a district created under division (C) of section 5709.73 of the Revised Code. The resolution shall delineate the boundary of the proposed district and specifically identify each parcel within the district. A proposed district may not include any parcel that is or has been exempted from taxation under division (A) of this section or that is or has been within another district created under this division. A resolution may create more than one such district, and more than one resolution may be adopted under division (B)(1) of this section.

(2)(a) Not later than thirty days prior to adopting a resolution under division (B)(1) of this section, if the county intends to apply for exemptions from taxation under section 5709.911 of the Revised Code on behalf of owners of real property located within the proposed incentive district, the board of county commissioners shall conduct a public hearing on the proposed resolution. Not later than thirty days prior to the public hearing, the board shall give notice of the public hearing and the proposed resolution by first class mail to every real property owner whose property is located within the boundaries of the proposed incentive district that is the subject of the proposed resolution. The board also shall provide the notice by first class mail to the clerk of each township in which the proposed incentive district will be located. The notice shall include a map of the proposed incentive district on which the board of county commissioners shall have delineated an overlay. The notice shall inform property owners of the owner's right to exclude the owner's property from the incentive district if both of the following conditions are met:

(i) The owner's entire parcel of property will not be located within the overlay.

(ii) The owner has submitted a statement to the board of township trustees of the township in which the parcel is located indicating the owner's intent to seek a tax exemption for improvements to the owner's parcel under division (B) or (C) of section 5709.73 of the Revised Code within the next five years.

When both of the preceding conditions are met, the owner may exclude the owner's property from the incentive district by submitting a written response in accordance with division (B)(2)(b) of this section. The notice also shall include information detailing the required contents of the response, the address to which the response may be mailed, and the deadline for submitting the response.

(b) Any owner of real property located within the boundaries of an incentive district proposed under division (B)(1) of this section who meets the conditions specified in divisions (B)(2)(a)(i) and (ii) of this section may exclude the property from the proposed incentive district by submitting a written response to the board not later than forty-five days after the postmark date on the notice required under division (B)(2)(a) of this section. The response shall include a copy of the statement submitted under division (B)(2)(a)(ii) of this section. The response shall be sent by first class mail or delivered in person at a public hearing held by the board under division (B)(2)(a) of this section. The response shall conform to any content requirements that may be established by the board and included in the notice provided under division (B)(2)(a) of this section. In the response, property owners may identify a parcel by street address, by the manner in which it is identified in the resolution, or by other means allowing the identity of the parcel to be ascertained.

(c) Before adopting a resolution under division (B)(1) of this section, the board shall amend the resolution to exclude any parcel for which a written response has been submitted under division (B)(2)(b) of this section. A county shall not apply for exemptions from taxation under section 5709.911 of the Revised Code for any such parcel, and service payments may not be required from the owner of the parcel. Improvements to a parcel excluded from an incentive district under this division may be exempted from taxation under division (A) of this section pursuant to a resolution adopted under that division or under any other section of the Revised Code under which the parcel qualifies.

(3)(a) A resolution adopted under division (B)(1) of this section shall specify the life of the incentive district and the percentage of the improvements to be exempted, shall designate the public infrastructure

improvements made, to be made, or in the process of being made, that benefit or serve, or, once made, will benefit or serve parcels in the district. The resolution also shall identify one or more specific projects being, or to be, undertaken in the district that place additional demand on the public infrastructure improvements designated in the resolution. The project identified may, but need not be, the project under division (B)(3)(b) of this section that places real property in use for commercial or industrial purposes.

A resolution adopted under division (B)(1) of this section on or after March 30, 2006, shall not designate police or fire equipment as public infrastructure improvements, and no service payment provided for in section 5709.79 of the Revised Code and received by the county under the resolution shall be used for police or fire equipment.

(b) A resolution adopted under division (B)(1) of this section may authorize the use of service payments provided for in section 5709.79 of the Revised Code for the purpose of housing renovations within the incentive district, provided that the resolution also designates public infrastructure improvements that benefit or serve the district, and that a project within the district places real property in use for commercial or industrial purposes. Service payments may be used to finance or support loans, deferred loans, and grants to persons for the purpose of housing renovations within the district. The resolution shall designate the parcels within the district that are eligible for housing renovations. The resolution shall state separately the amount or the percentages of the expected aggregate service payments that are designated for each public infrastructure improvement and for the purpose of housing renovations.

(4) Except with the approval of the board of education of each city, local, or exempted village school district within the territory of which the incentive district is or will be located, and subject to division (D) of this section, the life of an incentive district shall not exceed ten years, and the percentage of improvements to be exempted shall not exceed seventy-five per cent. With approval of the board of education, the life of a district may be not more than thirty years, and the percentage of improvements to be exempted may be not more than one hundred per cent. The approval of a board of education shall be obtained in the manner provided in division (C) of this section.

(C)(1) Improvements with respect to a parcel may be exempted from taxation under division (A) of this section, and improvements to parcels within an incentive district may be exempted from taxation under division (B) of this section, for up to ten years or, with the approval of the board of education of each city, local, or exempted village school district within which the parcel or district is located, for up to thirty years. The percentage

of the improvements exempted from taxation may, with such approval, exceed seventy-five per cent, but shall not exceed one hundred per cent. Not later than forty-five business days prior to adopting a resolution under this section declaring improvements to be a public purpose that is subject to the approval of a board of education under this division, the board of county commissioners shall deliver to the board of education a notice stating its intent to adopt a resolution making that declaration. The notice regarding improvements with respect to a parcel under division (A) of this section shall identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period for which the improvements would be exempted from taxation and the percentage of the improvements that would be exempted, and indicate the date on which the board of county commissioners intends to adopt the resolution. The notice regarding improvements to parcels within an incentive district under division (B) of this section shall delineate the boundaries of the district, specifically identify each parcel within the district, identify each anticipated improvement in the district, provide an estimate of the true value in money of each such improvement, specify the life of the district and the percentage of improvements that would be exempted, and indicate the date on which the board of county commissioners intends to adopt the resolution. The board of education, by resolution adopted by a majority of the board, may approve the exemption for the period or for the exemption percentage specified in the notice; may disapprove the exemption for the number of years in excess of ten, may disapprove the exemption for the percentage of the improvements to be exempted in excess of seventy-five per cent, or both; or may approve the exemption on the condition that the board of county commissioners and the board of education negotiate an agreement providing for compensation to the school district equal in value to a percentage of the amount of taxes exempted in the eleventh and subsequent years of the exemption period or, in the case of exemption percentages in excess of seventy-five per cent, compensation equal in value to a percentage of the taxes that would be payable on the portion of the improvements in excess of seventy-five per cent were that portion to be subject to taxation, or other mutually agreeable compensation.

(2) The board of education shall certify its resolution to the board of county commissioners not later than fourteen days prior to the date the board of county commissioners intends to adopt its resolution as indicated in the notice. If the board of education and the board of county commissioners negotiate a mutually acceptable compensation agreement, the resolution of the board of county commissioners may declare the improvements a public purpose for the number of years specified in that resolution or, in the case of exemption percentages in excess of seventy-five per cent, for the exemption percentage specified in the resolution. In either case, if the board of

education and the board of county commissioners fail to negotiate a mutually acceptable compensation agreement, the resolution may declare the improvements a public purpose for not more than ten years, and shall not exempt more than seventy-five per cent of the improvements from taxation. If the board of education fails to certify a resolution to the board of county commissioners within the time prescribed by this section, the board of county commissioners thereupon may adopt the resolution and may declare the improvements a public purpose for up to thirty years or, in the case of exemption percentages proposed in excess of seventy-five per cent, for the exemption percentage specified in the resolution. The board of county commissioners may adopt the resolution at any time after the board of education certifies its resolution approving the exemption to the board of county commissioners, or, if the board of education approves the exemption on the condition that a mutually acceptable compensation agreement be negotiated, at any time after the compensation agreement is agreed to by the board of education and the board of county commissioners. If a mutually acceptable compensation agreement is negotiated between the board of county commissioners and the board of education, including agreements for payments in lieu of taxes under section 5709.79 of the Revised Code, the board of county commissioners shall compensate the joint vocational school district within which the parcel or district is located at the same rate and under the same terms received by the city, local, or exempted village school district.

(3) If a board of education has adopted a resolution waiving its right to approve exemptions from taxation under this section and the resolution remains in effect, approval of such exemptions by the board of education is not required under division (C) of this section. If a board of education has adopted a resolution allowing a board of county commissioners to deliver the notice required under division (C) of this section fewer than forty-five business days prior to approval of the resolution by the board of county commissioners, the board of county commissioners shall deliver the notice to the board of education not later than the number of days prior to such approval as prescribed by the board of education in its resolution. If a board of education adopts a resolution waiving its right to approve exemptions or shortening the notification period, the board of education shall certify a copy of the resolution to the board of county commissioners. If the board of education rescinds such a resolution, it shall certify notice of the rescission to the board of county commissioners.

(D)(1) If a proposed resolution under division (B)(1) of this section exempts improvements with respect to a parcel within an incentive district for more than ten years, or the percentage of the improvement exempted from taxation exceeds seventy-five per cent, not later than forty-five business days

prior to adopting the resolution the board of county commissioners shall deliver to the board of township trustees of any township within which the incentive district is or will be located a notice that states its intent to adopt a resolution creating an incentive district. The notice shall include a copy of the proposed resolution, identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period of time for which the improvements would be exempted from taxation, specify the percentage of the improvements that would be exempted from taxation, and indicate the date on which the board intends to adopt the resolution.

(2) The board of township trustees, by resolution adopted by a majority of the board, may object to the exemption for the number of years in excess of ten, may object to the exemption for the percentage of the improvement to be exempted in excess of seventy-five per cent, or both. If the board of township trustees objects, the board of township trustees may negotiate a mutually acceptable compensation agreement with the board of county commissioners. In no case shall the compensation provided to the board of township trustees exceed the property taxes forgone due to the exemption. If the board of township trustees objects, and the board of township trustees and the board of county commissioners fail to negotiate a mutually acceptable compensation agreement, the resolution adopted under division (B)(1) of this section shall provide to the board of township trustees compensation in the eleventh and subsequent years of the exemption period equal in value to not more than fifty per cent of the taxes that would be payable to the township or, if the board of township trustee's objection includes an objection to an exemption percentage in excess of seventy-five per cent, compensation equal in value to not more than fifty per cent of the taxes that would be payable to the township on the portion of the improvement in excess of seventy-five per cent, were that portion to be subject to taxation. The board of township trustees shall certify its resolution to the board of county commissioners not later than thirty days after receipt of the notice.

(3) If the board of township trustees does not object or fails to certify a resolution objecting to an exemption within thirty days after receipt of the notice, the board of county commissioners may adopt its resolution, and no compensation shall be provided to the board of township trustees. If the board of township trustees certifies its resolution objecting to the commissioners' resolution, the board of county commissioners may adopt its resolution at any time after a mutually acceptable compensation agreement is agreed to by the board of county commissioners and the board of township trustees. If the board of township trustees certifies a resolution objecting to the commissioners' resolution, the board of county commissioners may

adopt its resolution at any time after a mutually acceptable compensation agreement is agreed to by the board of county commissioners and the board of township trustees, or, if no compensation agreement is negotiated, at any time after the board of county commissioners in the proposed resolution to provide compensation to the board of township trustees of fifty per cent of the taxes that would be payable to the township in the eleventh and subsequent years of the exemption period or on the portion of the improvement in excess of seventy-five per cent, were that portion to be subject to taxation.

(E) Service payments in lieu of taxes that are attributable to any amount by which the effective tax rate of either a renewal levy with an increase or a replacement levy exceeds the effective tax rate of the levy renewed or replaced, or that are attributable to an additional levy, for a levy authorized by the voters for any of the following purposes on or after January 1, 2006, and which are provided pursuant to a resolution creating an incentive district under division (B)(1) of this section that is adopted on or after January 1, 2006, shall be distributed to the appropriate taxing authority as required under division (D) of section 5709.79 of the Revised Code in an amount equal to the amount of taxes from that additional levy or from the increase in the effective tax rate of such renewal or replacement levy that would have been payable to that taxing authority from the following levies were it not for the exemption authorized under division (B) of this section:

(1) A tax levied under division (L) of section 5705.19 or section 5705.191 or 5705.222 of the Revised Code for community developmental disabilities programs and services pursuant to Chapter 5126. of the Revised Code;

(2) A tax levied under division (Y) of section 5705.19 of the Revised Code for providing or maintaining senior citizens services or facilities;

(3) A tax levied under section 5705.22 of the Revised Code for county hospitals;

(4) A tax levied by a joint-county district or by a county under section 5705.19, 5705.191, or 5705.221 of the Revised Code for alcohol, drug addiction, and mental health services or facilities;

(5) A tax levied under section 5705.23 of the Revised Code for library purposes;

(6) A tax levied under section 5705.24 of the Revised Code for the support of children services and the placement and care of children;

(7) A tax levied under division (Z) of section 5705.19 of the Revised Code for the provision and maintenance of zoological park services and

facilities under section 307.76 of the Revised Code;

(8) A tax levied under section 511.27 or division (H) of section 5705.19 of the Revised Code for the support of township park districts;

(9) A tax levied under division (A), (F), or (H) of section 5705.19 of the Revised Code for parks and recreational purposes of a joint recreation district organized pursuant to division (B) of section 755.14 of the Revised Code;

(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;

(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;

(12) A tax levied under section 3709.29 of the Revised Code for a general health district program.

(F) An exemption from taxation granted under this section commences with the tax year specified in the resolution so long as the year specified in the resolution commences after the effective date of the resolution. If the resolution specifies a year commencing before the effective date of the resolution or specifies no year whatsoever, the exemption commences with the tax year in which an exempted improvement first appears on the tax list and duplicate of real and public utility property and that commences after the effective date of the resolution. In lieu of stating a specific year, the resolution may provide that the exemption commences in the tax year in which the value of an improvement exceeds a specified amount or in which the construction of one or more improvements is completed, provided that such tax year commences after the effective date of the resolution. With respect to the exemption of improvements to parcels under division (A) of this section, the resolution may allow for the exemption to commence in different tax years on a parcel-by-parcel basis, with a separate exemption term specified for each parcel.

Except as otherwise provided in this division, the exemption ends on the date specified in the resolution as the date the improvement ceases to be a public purpose or the incentive district expires, or ends on the date on which the county can no longer require annual service payments in lieu of taxes under section 5709.79 of the Revised Code, whichever occurs first. The exemption of an improvement with respect to a parcel or within an incentive district may end on a later date, as specified in the resolution, if the board of commissioners and the board of education of the city, local, or exempted

village school district within which the parcel or district is located have entered into a compensation agreement under section 5709.82 of the Revised Code with respect to the improvement, and the board of education has approved the term of the exemption under division (C)(1) of this section, but in no case shall the improvement be exempted from taxation for more than thirty years. Exemptions shall be claimed and allowed in the same or a similar manner as in the case of other real property exemptions. If an exemption status changes during a tax year, the procedure for the apportionment of the taxes for that year is the same as in the case of other changes in tax exemption status during the year.

(G) If the board of county commissioners is not required by this section to notify the board of education of the board of county commissioners' intent to declare improvements to be a public purpose, the board of county commissioners shall comply with the notice requirements imposed under section 5709.83 of the Revised Code before taking formal action to adopt the resolution making that declaration, unless the board of education has adopted a resolution under that section waiving its right to receive such a notice.

(H) The county, not later than fifteen days after the adoption of a resolution under this section, shall submit to the director of development services a copy of the resolution. On or before the thirty-first day of March of each year, the county shall submit a status report to the director of development services. The report shall indicate, in the manner prescribed by the director, the progress of the project during each year that an exemption remains in effect, including a summary of the receipts from service payments in lieu of taxes; expenditures of money from the fund created under section 5709.80 of the Revised Code; a description of the public infrastructure improvements and housing renovations financed with such expenditures; and a quantitative summary of changes in employment and private investment resulting from each project.

(I) Nothing in this section shall be construed to prohibit a board of county commissioners from declaring to be a public purpose improvements with respect to more than one parcel.

(J) If a parcel is located in a new community district in which the new community authority imposes a community development charge on the basis of rentals received from leases of real property as described in division (L)(2) of section 349.01 of the Revised Code, the parcel may not be exempted from taxation under this section.

Sec. 5709.911. (A)(1) A municipal corporation, township, or county that has enacted an ordinance or resolution under section 5709.40, 5709.41, 5709.45, 5709.73, or 5709.78 of the Revised Code or that has entered into an

agreement referred to in section 725.02 or 1728.07 of the Revised Code may file an application for exemption under those sections in the same manner as other real property tax exemptions, notwithstanding the indication in division (A) of section 5715.27 of the Revised Code that the owner of the property may file the application. An application for exemption may not be filed by a municipal corporation, township, or county for an exemption of a parcel under section 5709.40, 5709.73, or 5709.78 of the Revised Code if the property owner excludes the property from such exemption as provided in that section.

(2) Except as provided in division (B) of this section, if the application for exemption under section 725.02, 1728.10, 5709.40, 5709.41, 5709.45, 5709.73, or 5709.78 of the Revised Code is filed by a municipal corporation, township, or county and more than one real property tax exemption applies by law to the property or a portion of the property, both of the following apply:

(a) An exemption granted under section 725.02, 1728.10, 5709.40, 5709.41, 5709.45, 5709.73, or 5709.78 of the Revised Code shall be subordinate to an exemption with respect to the property or portion of the property granted under any other provision of the Revised Code.

(b) Neither service payments in lieu of taxes under section 725.04, 5709.42, 5709.46, 5709.74, or 5709.79 of the Revised Code, nor service charges in lieu of taxes under section 1728.11 or 1728.111 of the Revised Code, shall be required with respect to the property or portion of the property that is exempt from real property taxes under that other provision of the Revised Code during the effective period of the exemption.

(B)(1) If the application for exemption under section 725.02, 1728.10, 5709.40, 5709.41, 5709.45, 5709.73, or 5709.78 of the Revised Code is filed by the owner of the property or by a municipal corporation, township, or county with the owner's written consent attached to the application, and if more than one real property tax exemption applies by law to the property or a portion of the property, no other exemption shall be granted for the portion of the property already exempt under section 725.02, 1728.10, 5709.40, 5709.41, 5709.45, 5709.73, or 5709.78 of the Revised Code unless the municipal corporation, township, or county that enacted the authorizing ordinance or resolution for the earlier exemption provides its duly authorized written consent to the subsequent exemption by means of a duly enacted ordinance or resolution.

(2) If the application for exemption under section 725.02, 1728.10, 5709.40, 5709.41, 5709.45, 5709.73, or 5709.78 of the Revised Code is filed by a municipal corporation, township, or county and approved by the tax commissioner, if the owner of the property subsequently provides written

consent to the exemption and the consent is filed with the tax commissioner, and if more than one real property tax exemption applies by law to the property or a portion of the property, no other exemption shall be granted for the portion of the property already exempt under section 725.02, 1728.10, 5709.40, 5709.41, 5709.45, 5709.73, or 5709.78 of the Revised Code unless the municipal corporation, township, or county that enacted the authorizing ordinance or resolution for the earlier exemption provides its duly authorized written consent to the subsequent exemption by means of a duly enacted ordinance or resolution.

(C)(1) After the tax commissioner has approved or partially approved an application for exemption filed by or with the consent of a property owner under the circumstances described in division (B)(1) of this section, the municipal corporation, township, county, or property owner shall file a notice with the county recorder for the county in which the property is located that clearly identifies the property and the owner of the property and states that the property, regardless of future use or ownership, remains liable for any service payments or service charges required by the exemption until the terms of the exemption have been satisfied, unless the municipal corporation, township, or county consents to the subsequent exemption and relinquishes its right to collect the service payments or service charges as provided in division (B)(1) of this section. The county recorder's office shall charge a fee of fourteen dollars to record the notice, the proceeds of which shall be retained by the county.

(2) If a property owner subsequently provides written consent to an exemption under the circumstances described in division (B)(2) of this section, the municipal corporation, township, county, or property owner shall file notice with the county recorder for the county in which the property is located that clearly identifies the property and the owner of the property and states that the property, regardless of future use or ownership, remains liable for any service payments or service charges required by the exemption until the terms of the exemption have been satisfied, unless the municipal corporation, township, or county consents to the subsequent exemption and relinquishes its right to collect the service payments or service charges as provided in division (B)(2) of this section. The county recorder's office shall charge a fee of fourteen dollars to record the notice, the proceeds of which shall be retained by the county.

(D) Upon filing of the notice with the county recorder, the provisions of division (B) of this section are binding on all future owners of the property or portion of the property, regardless of how the property is used. Failure to file the notice with the county recorder relieves future owners of the property from the obligation to make service payments in lieu of taxes under section 725.04, 5709.42, 5709.46, 5709.74, or 5709.79 of the Revised Code or

service charges in lieu of taxes under section 1728.11 or 1728.111 of the Revised Code, if the property or a portion of the property later qualifies for exemption under any other provision of the Revised Code. Failure to file the notice does not, however, relieve the owner of the property, at the time the application for exemption is filed, from making those payments or charges."

In line 81, delete "section" and insert "sections"; after "5301.07" insert ", 5709.40, 5709.73, 5709.77, 5709.78, and 5709.911"

In line 82, delete "is" and insert "are"

After line 82, insert:

"Section 3.The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 5709.40 of the Revised Code as amended by Sub. H.B. 158, Sub. H.B. 413, and Am. Sub. H.B. 483, all of the 131st General Assembly.

Section 5709.73 of the Revised Code as amended by both Sub. H.B. 158 and Am. Sub. H.B. 483 of the 131st General Assembly.

Section 5709.78 of the Revised Code as amended by both Sub. H.B. 158 and Am. Sub. H.B. 483 of the 131st General Assembly."

Attest:

Bradley J. Young,
Clerk.

Senator Obhof moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 257**-Senators Seitz, Skindell, be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hite	Hottinger	Hughes
Jones	Jordan	LaRose	Lehner
Manning	Obhof	Oelslager	Patton

Peterson
Skindell
Williams

Sawyer
Tavares

Schiavoni
Thomas

Seitz
Uecker
Faber-30

Senator Hackett voted in the negative-1.

So the Senate concurred in the amendments of the House of Representatives.

Senator Faber moved to amend the title as follows:

Remove the name: "Senator Hackett"

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

S. B. No. 291 -Senator Yuko

Cosponsors: Senators Brown, Cafaro, Gentile, Gardner, Hite, Beagle, Tavares, Bacon, Balderson, Burke, Coley, Eklund, Faber, Hackett, Hottinger, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Skindell, Thomas, Uecker, Williams Representatives Gonzales, Antonio, Barnes, Gavarone, Kuhns, LaTourette, Ramos, Sykes, Anielski, Blessing, Buchy, Clyde, Craig, Dovilla, Johnson, G., Rogers, Sweeney, Young

To enact section 5.29 of the Revised Code to designate September as "Pain Awareness Month."

Attest:

Bradley J. Young,
Clerk.

On the motion of Senator Obhof, the Senate recessed until 12:19 a.m.

The Senate met pursuant to the recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

S. B. No. 207 -Senator Coley

Cosponsors: Senators Manning, LaRose, Uecker, Brown, Yuko, Bacon,

Beagle, Burke, Cafaro, Eklund, Faber, Gardner, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, Lehner, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Widener, Williams
 Representatives Green, Antani, Dever, Dovilla, Anielski, Antonio, Baker, Barnes, Blessing, Boccieri, Boyd, Celebrezze, Cera, Clyde, Craig, DeVitis, Gonzales, Hall, Hayes, Johnson, G., Kuhns, Kunze, Leland, Lepore-Hagan, Manning, O'Brien, M., Patterson, Perales, Ramos, Retherford, Rogers, Ruhl, Sheehy, Sprague, Strahorn, Sweeney, Sykes

To enact section 5534.27 of the Revised Code to designate a portion of State Route 73 in Butler County as the "SPC James E. Hall Jr. Memorial Highway."

With the following additional amendments, in which the concurrence of the Senate is requested.

In line 1 of the title, after "To" insert "amend sections 4501.21, 4503.592, 5534.23, and 5534.34 and to"; delete "section 5534.27" and insert "sections 4503.733, 4503.871, 4503.874, 4503.877, 4503.901, 4503.98, 5534.011, 5534.18, 5534.29, 5534.44, 5534.46, 5534.61, 5534.62, 5534.63, 5534.65, 5534.67, and 5534.73"

In line 2 of the title, delete "a portion of State Route 73 in Butler"

Delete lines 3 and 4 of the title and insert "and amend multiple memorial highways and to create and amend multiple license plates."

In line 5, delete "section 5534.27" and insert "sections 4501.21, 4503.592, 5534.23, and 5534.34 be amended and sections 4503.733, 4503.871, 4503.874, 4503.877, 4503.901, 4503.98, 5534.011, 5534.18, 5534.29, 5534.44, 5534.46, 5534.61, 5534.62, 5534.63, 5534.65, 5534.67, and 5534.73"

Between lines 6 and 7, insert:

"Sec. 4501.21. (A) There is hereby created in the state treasury the license plate contribution fund. The fund shall consist of all contributions paid by motor vehicle registrants and collected by the registrar of motor vehicles pursuant to sections 4503.491, 4503.492, 4503.493, 4503.494, 4503.495, 4503.496, 4503.498, 4503.499, 4503.50, 4503.501, 4503.502, 4503.505, 4503.51, 4503.522, 4503.523, 4503.524, 4503.525, 4503.526, 4503.528, 4503.529, 4503.531, 4503.534, 4503.545, 4503.55, 4503.551, 4503.552, 4503.553, 4503.554, 4503.555, 4503.561, 4503.562, 4503.564, 4503.565, 4503.576, 4503.577, 4503.591, 4503.592, 4503.67, 4503.68, 4503.69, 4503.701, 4503.71, 4503.711, 4503.712, 4503.713, 4503.715, 4503.72, 4503.73, 4503.732, 4503.733, 4503.74, 4503.75, 4503.751, 4503.763, 4503.85, 4503.86, 4503.87, 4503.871, 4503.874, 4503.877, 4503.89, 4503.90, 4503.901, 4503.902, 4503.903, 4503.904, 4503.92, 4503.94, ~~and~~ 4503.97, and

4503.98 of the Revised Code.

(B) The registrar shall pay the contributions the registrar collects in the fund as follows:

The registrar shall pay the contributions received pursuant to section 4503.491 of the Revised Code to the breast cancer fund of Ohio, which shall use that money only to pay for programs that provide assistance and education to Ohio breast cancer patients and that improve access for such patients to quality health care and clinical trials and shall not use any of the money for abortion information, counseling, services, or other abortion-related activities.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.492 of the Revised Code to the organization cancer support community central Ohio, which shall deposit the money into the Sheryl L. Kraner Fund of that organization. Cancer support community central Ohio shall expend the money it receives pursuant to this division only in the same manner and for the same purposes as that organization expends other money in that fund.

The registrar shall pay the contributions received pursuant to section 4503.493 of the Revised Code to the autism society of Ohio, which shall use the contributions for programs and autism awareness efforts throughout the state.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.494 of the Revised Code to the national multiple sclerosis society for distribution in equal amounts to the northwestern Ohio, Ohio buckeye, and Ohio valley chapters of the national multiple sclerosis society. These chapters shall use the money they receive under this section to assist in paying the expenses they incur in providing services directly to their clients.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.495 of the Revised Code to the national pancreatic cancer foundation, which shall use the money it receives under this section to assist those who suffer with pancreatic cancer and their families.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.496 of the Revised Code to the Ohio sickle cell and health association, which shall use the contributions to help support educational, clinical, and social support services for adults who have sickle cell disease.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.498 of the Revised Code to special olympics Ohio, inc., which shall use the contributions for its programs, charitable efforts, and other activities.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.499 of the Revised Code to the children's glioma cancer foundation, which shall use the contributions for its research and other programs.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.50 of the Revised Code to the future farmers of America foundation, which shall deposit the contributions into its general account to be used for educational and scholarship purposes of the future farmers of America foundation.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.501 of the Revised Code to the 4-H youth development program of the Ohio state university extension program, which shall use those contributions to pay the expenses it incurs in conducting its educational activities.

The registrar shall pay the contributions received pursuant to section 4503.502 of the Revised Code to the Ohio cattlemen's foundation, which shall use those contributions for scholarships and other educational activities.

The registrar shall pay the contributions received pursuant to section 4503.505 of the Revised Code to the organization Ohio region phi theta kappa, which shall use those contributions for scholarships for students who are members of that organization.

The registrar shall pay each contribution the registrar receives pursuant to section 4503.51 of the Revised Code to the university or college whose name or marking or design appears on collegiate license plates that are issued to a person under that section. A university or college that receives contributions from the fund shall deposit the contributions into its general scholarship fund.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.522 of the Revised Code to the "friends of Perry's victory and international peace memorial, incorporated," a nonprofit corporation organized under the laws of this state, to assist that organization in paying the expenses it incurs in sponsoring or holding charitable, educational, and cultural events at the monument.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.523 of the Revised Code to the fairport lights foundation, which shall use the money to pay for the restoration, maintenance, and preservation of the lighthouses of fairport harbor.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.524 of the Revised Code to the Massillon tiger football

booster club, which shall use the contributions only to promote and support the football team of Washington high school of the Massillon city school district.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.525 of the Revised Code to the United States power squadron districts seven, eleven, twenty-four, and twenty-nine in equal amounts. Each power squadron district shall use the money it receives under this section to pay for the educational boating programs each district holds or sponsors within this state.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.526 of the Revised Code to the Ohio district Kiwanis foundation of the Ohio district of Kiwanis international, which shall use the money it receives under this section to pay the costs of its educational and humanitarian activities.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.528 of the Revised Code to the Ohio association of child caring agencies, which shall use the money it receives under this section to pay the expenses it incurs in advancing its mission of sustainably improving the provision of services to children, young adults, and families in this state.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.529 of the Revised Code to the Ohio nurses foundation. The foundation shall use the money it receives under this section to provide educational scholarships to assist individuals who aspire to join the nursing profession, to assist nurses in the nursing profession who seek to advance their education, and to support persons conducting nursing research concerning the evidence-based practice of nursing and the improvement of patient outcomes.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.531 of the Revised Code to the thank you foundation, incorporated, a nonprofit corporation organized under the laws of this state, to assist that organization in paying for the charitable activities and programs it sponsors in support of United States military personnel, veterans, and their families.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.534 of the Revised Code to the disabled American veterans department of Ohio, to be used for programs that serve disabled American veterans and their families.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.55 of the Revised Code to the pro football hall of fame, which

shall deposit the contributions into a special bank account that it establishes and which shall be separate and distinct from any other account the pro football hall of fame maintains, to be used exclusively for the purpose of promoting the pro football hall of fame as a travel destination.

The registrar shall pay the contributions that are paid to the registrar pursuant to section 4503.545 of the Revised Code to the national rifle association foundation, which shall use the money to pay the costs of the educational activities and programs the foundation holds or sponsors in this state.

The registrar shall pay to the Ohio pet fund the contributions the registrar receives pursuant to section 4503.551 of the Revised Code and any other money from any other source, including donations, gifts, and grants, that is designated by the source to be paid to the Ohio pet fund. The Ohio pet fund shall use the moneys it receives under this section to support programs for the sterilization of dogs and cats and for educational programs concerning the proper veterinary care of those animals, and for expenses of the Ohio pet fund that are reasonably necessary for it to obtain and maintain its tax-exempt status and to perform its duties.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.552 of the Revised Code to the rock and roll hall of fame and museum, incorporated.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.553 of the Revised Code to the Ohio coalition for animals, incorporated, a nonprofit corporation. Except as provided in division (B) of this section, the coalition shall distribute the money to its members, and the members shall use the money only to pay for educational, charitable, and other programs of each coalition member that provide care for unwanted, abused, and neglected horses. The Ohio coalition for animals may use a portion of the money to pay for reasonable marketing costs incurred in the design and promotion of the license plate and for administrative costs incurred in the disbursement and management of funds received under this section.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.554 of the Revised Code to the Ohio state council of the knights of Columbus, which shall use the contributions to pay for its charitable activities and programs.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.555 of the Revised Code to the western reserve historical society, which shall use the contributions to fund the Crawford auto aviation museum.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.561 of the Revised Code to the state of Ohio chapter of ducks unlimited, inc., which shall deposit the contributions into a special bank account that it establishes. The special bank account shall be separate and distinct from any other account the state of Ohio chapter of ducks unlimited, inc., maintains and shall be used exclusively for the purpose of protecting, enhancing, restoring, and managing wetlands and conserving wildlife habitat. The state of Ohio chapter of ducks unlimited, inc., annually shall notify the registrar in writing of the name, address, and account to which such payments are to be made.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.562 of the Revised Code to the Mahoning river consortium, which shall use the money to pay the expenses it incurs in restoring and maintaining the Mahoning river watershed.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.564 of the Revised Code to Antioch college for the use of the Glen Helen ecology institute to pay expenses related to the Glen Helen nature preserve.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.565 of the Revised Code to the conservancy for Cuyahoga valley national park, which shall use the money in support of the park.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.576 of the Revised Code to the Ohio state beekeepers association, which shall use those contributions to promote beekeeping, provide educational information about beekeeping, and to support other state and local beekeeping programs.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.577 of the Revised Code to the national aviation hall of fame, which shall use the contributions to fulfill its mission of honoring aerospace legends to inspire future leaders.

The registrar shall pay to a sports commission created pursuant to section 4503.591 of the Revised Code each contribution the registrar receives under that section that an applicant pays to obtain license plates that bear the logo of a professional sports team located in the county of that sports commission and that is participating in the license plate program pursuant to division (E) of that section, irrespective of the county of residence of an applicant.

The registrar shall pay to a community charity each contribution the registrar receives under section 4503.591 of the Revised Code that an

applicant pays to obtain license plates that bear the logo of a professional sports team that is participating in the license plate program pursuant to division (G) of that section.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.592 of the Revised Code to pollinator partnership's monarch wings across Ohio program, which shall use the contributions for the protection and preservation of the monarch butterfly and pollinator corridor in Ohio and for educational programs.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.67 of the Revised Code to the Dan Beard council of the boy scouts of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the boy scouts.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.68 of the Revised Code to the great river council of the girl scouts of the United States of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the girl scouts.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.69 of the Revised Code to the Dan Beard council of the boy scouts of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the boy scouts.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.701 of the Revised Code to the Prince Hall grand lodge of free and accepted masons of Ohio, which shall use the contributions for scholarship purposes.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.71 of the Revised Code to the fraternal order of police of Ohio, incorporated, which shall deposit the fees into its general account to be used for purposes of the fraternal order of police of Ohio, incorporated.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.711 of the Revised Code to the fraternal order of police of Ohio, incorporated, which shall deposit the contributions into an account that it creates to be used for the purpose of advancing and protecting the law enforcement profession, promoting improved law enforcement methods, and teaching respect for law and order.

The registrar shall pay the contributions received pursuant to section 4503.712 of the Revised Code to Ohio concerns of police survivors, which shall use those contributions to provide whatever assistance may be appropriate to the families of Ohio law enforcement officers who are killed in

the line of duty.

The registrar shall pay the contributions received pursuant to section 4503.713 of the Revised Code to the greater Cleveland peace officers memorial society, which shall use those contributions to honor law enforcement officers who have died in the line of duty and support its charitable purposes.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.715 of the Revised Code to the fallen linemen organization, which shall use the contributions to recognize and memorialize fallen linemen and support their families.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.72 of the Revised Code to the organization known on March 31, 2003, as the Ohio CASA/GAL association, a private, nonprofit corporation organized under Chapter 1702. of the Revised Code. The Ohio CASA/GAL association shall use these contributions to pay the expenses it incurs in administering a program to secure the proper representation in the courts of this state of abused, neglected, and dependent children, and for the training and supervision of persons participating in that program.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.73 of the Revised Code to Wright B. Flyer, incorporated, which shall deposit the contributions into its general account to be used for purposes of Wright B. Flyer, incorporated.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.732 of the Revised Code to the Siegel & Shuster society, a nonprofit organization dedicated to commemorating and celebrating the creation of Superman in Cleveland, Ohio.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.733 of the Revised Code to the Ohio chapter of the juvenile diabetes research foundation in whose geographic territory the person who paid the contribution resides.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.74 of the Revised Code to the Columbus zoological park association, which shall disburse the moneys to Ohio's major metropolitan zoos, as defined in section 4503.74 of the Revised Code, in accordance with a written agreement entered into by the major metropolitan zoos.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.75 of the Revised Code to the rotary foundation, located on March 31, 2003, in Evanston, Illinois, to be placed in a fund known as the permanent fund and used to endow educational and humanitarian programs of

the rotary foundation.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.751 of the Revised Code to the Ohio association of realtors, which shall deposit the contributions into a property disaster relief fund maintained under the Ohio realtors charitable and education foundation.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.763 of the Revised Code to the Ohio history connection to be used solely to build, support, and maintain the Ohio battleflag collection within the Ohio history connection.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.85 of the Revised Code to the Ohio sea grant college program to be used for Lake Erie area research projects.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.86 of the Revised Code to the Ohio Lincoln highway historic byway, which shall use those contributions solely to promote and support the historical preservation and advertisement of the Lincoln highway in this state.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.87 of the Revised Code to the Grove City little league dream field fund, which shall use those contributions solely to build, maintain, and improve youth baseball fields within the municipal corporation of Grove City.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.871 of the Revised Code to the Solon city school district. The school district shall use the contributions it receives to pay the expenses it incurs in providing services to the school district's students that assist in developing or maintaining the mental and emotional well-being of the students. The services provided may include bereavement counseling, instruction in defensive driving techniques, sensitivity training, and the counseling and education of students regarding bullying, dating violence, drug abuse, suicide prevention, and human trafficking. The school district superintendent or, in the school district superintendent's discretion, the appropriate school principal or appropriate school counselors shall determine any charitable organizations that the school district hires to provide those services. The school district also may use the contributions it receives to pay for members of the faculty of the school district to receive training in providing such services to the students of the school district. The school district shall ensure that any charitable organization that is hired by the district is exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code. The school district shall not use the contributions it receives for any other purpose.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.874 of the Revised Code to St. Edward high school located in the municipal corporation of Lakewood. The school shall use fifty per cent of the contributions it receives to provide tuition assistance to its students. The school shall use the remaining fifty per cent to pay the expenses it incurs in providing services to the school's students that assist in developing or maintaining the mental and emotional well-being of the students. The services provided may include bereavement counseling, instruction in defensive driving techniques, sensitivity training, and the counseling and education of students regarding bullying, dating violence, drug abuse, suicide prevention, and human trafficking. As a part of providing such services, the school may pay for members of the faculty of the school to receive training in providing those services. The school principal or, in the school principal's discretion, appropriate school counselors shall determine any charitable organizations that the school hires to provide those services. The school shall ensure that any such charitable organization is exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code. The school shall not use the contributions it receives for any other purpose.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.877 of the Revised Code to the Independence local school district. The school district shall use the contributions it receives to pay the expenses it incurs in providing services to the school district's students that assist in developing or maintaining the mental and emotional well-being of the students. The services provided may include bereavement counseling, instruction in defensive driving techniques, sensitivity training, and the counseling and education of students regarding bullying, dating violence, drug abuse, suicide prevention, and human trafficking. The school district superintendent or, in the school district superintendent's discretion, the appropriate school principal or appropriate school counselors shall determine any charitable organizations that the school district hires to provide those services. The school district also may use the contributions it receives to pay for members of the faculty of the school district to receive training in providing such services to the students of the school district. The school district shall ensure that any charitable organization that is hired by the district is exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code. The school district shall not use the contributions it receives for any other purpose.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.89 of the Revised Code to the American red cross of greater Columbus on behalf of the Ohio chapters of the American red cross, which shall use the contributions for disaster readiness, preparedness, and response programs on a statewide basis.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.90 of the Revised Code to the nationwide children's hospital foundation.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.901 of the Revised Code to the Ohio association for pupil transportation, which shall use the money to support transportation programs, provide training to school transportation professionals, and support other initiatives for school transportation safety.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.902 of the Revised Code to St. Ignatius high school located in the municipal corporation of Cleveland. The school shall use fifty per cent of the contributions it receives to provide tuition assistance to its students. The school shall use the remaining fifty per cent to pay the expenses it incurs in providing services to the school's students that assist in developing or maintaining the mental and emotional well-being of the students. The services provided may include bereavement counseling, instruction in defensive driving techniques, sensitivity training, and the counseling and education of students regarding bullying, dating violence, drug abuse, suicide prevention, and human trafficking. As a part of providing such services, the school may pay for members of the faculty of the school to receive training in providing those services. The school principal or, in the school principal's discretion, appropriate school counselors shall determine any charitable organizations that the school hires to provide those services. The school shall ensure that any such charitable organization is exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code. The school shall not use the contributions it receives for any other purpose.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.903 of the Revised Code to the Brecksville-Broadview Heights city school district. The school district shall use the contributions it receives to pay the expenses it incurs in providing services to the school district's students that assist in developing or maintaining the mental and emotional well-being of the students. The services provided may include bereavement counseling, instruction in defensive driving techniques, sensitivity training, and the counseling and education of students regarding bullying, dating violence, drug abuse, suicide prevention, and human trafficking. The school district superintendent or, in the school district superintendent's discretion, the appropriate school principal or appropriate school counselors shall determine any charitable organizations that the school district hires to provide those services. The school district also may use the contributions it receives to pay for members of the faculty of the school district to receive training in providing such services to the students of the school district. The school district shall ensure that any charitable

organization that is hired by the district is exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code. The school district shall not use the contributions it receives for any other purpose.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.904 of the Revised Code to the Chagrin Falls exempted village school district. The school district shall use the contributions it receives to pay the expenses it incurs in providing services to the school district's students that assist in developing or maintaining the mental and emotional well-being of the students. The services provided may include bereavement counseling, instruction in defensive driving techniques, sensitivity training, and the counseling and education of students regarding bullying, dating violence, drug abuse, suicide prevention, and human trafficking. The school district superintendent or, in the school district superintendent's discretion, the appropriate school principal or appropriate school counselors shall determine any charitable organizations that the school district hires to provide those services. The school district also may use the contributions it receives to pay for members of the faculty of the school district to receive training in providing such services to the students of the school district. The school district shall ensure that any charitable organization that is hired by the district is exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code. The school district shall not use the contributions it receives for any other purpose.

The registrar shall pay the contributions received pursuant to section 4503.92 of the Revised Code to support our troops, incorporated, a national nonprofit corporation, which shall use those contributions in accordance with its articles of incorporation and for the benefit of servicemembers of the armed forces of the United States and their families when they are in financial need.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.94 of the Revised Code to the Michelle's leading star foundation, which shall use the money solely to fund the rental, lease, or purchase of the simulated driving curriculum of the Michelle's leading star foundation by boards of education of city, exempted village, local, and joint vocational school districts.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.97 of the Revised Code to the friends of united Hatzalah of Israel, which shall use the money to support united Hatzalah of Israel, which provides free emergency medical first response throughout Israel.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.98 of the Revised Code to the Westerville parks foundation to support the programs and activities of the foundation and its mission of

pursuing the city of Westerville's vision of becoming "A City Within A Park."

(C) All investment earnings of the license plate contribution fund shall be credited to the fund. Not later than the first day of May of every year, the registrar shall distribute to each entity described in division (B) of this section the investment income the fund earned the previous calendar year. The amount of such a distribution paid to an entity shall be proportionate to the amount of money the entity received from the fund during the previous calendar year.

Sec. 4503.592. (A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the registrar of motor vehicles may apply to the registrar for the registration of the vehicle and issuance of "Monarch Butterfly" license plates. An application made under this section may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance by the applicant with divisions (B) and (C) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of "Monarch Butterfly" license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Monarch Butterfly" license plates shall be inscribed with identifying words or markings that are designed by pollinator partnership's monarch wings across Ohio program and that are approved by the registrar. "Monarch Butterfly" license plates shall display county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) "Monarch Butterfly" license plates and a validation sticker, or validation sticker alone, shall be issued upon receipt of a contribution as provided in division (C)(1) of this section and upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, a bureau of motor vehicles administrative fee of ten dollars, and compliance with all other applicable laws relating to the registration of motor vehicles.

(C)(1) For each application for registration and registration renewal notice the registrar receives under this section, the registrar shall collect a contribution of fifteen dollars. The registrar shall transmit this contribution into the state treasury to the credit of the license plate contribution fund created in section 4501.21 of the Revised Code.

(2) The registrar shall deposit the bureau administrative fee of ten dollars, the purpose of which is to compensate the bureau for additional services required in the issuing of "Monarch Butterfly" license plates, into the state treasury to the credit of the state bureau of motor vehicles fund created in section 4501.25 of the Revised Code.

Sec. 4503.733.(A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the registrar of motor vehicles may apply to the registrar for the registration of the vehicle and issuance of "juvenile diabetes research foundation" license plates. An application made under this section may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance by the applicant with divisions (B) and (C) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of "juvenile diabetes research foundation" license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, "juvenile diabetes research foundation" license plates shall be inscribed with identifying words or markings that are jointly designed and selected by all Ohio chapters of the juvenile diabetes research foundation and approved by the registrar. "Juvenile diabetes research foundation" license plates shall display county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) The "juvenile diabetes research foundation" license plates and a validation sticker, or validation sticker alone, shall be issued upon receipt of a contribution as provided in division (C)(1) of this section and upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, a bureau of motor vehicles administrative fee of ten dollars, and compliance with all other applicable laws relating to the registration of motor vehicles.

(C)(1) For each application for registration and registration renewal notice the registrar receives under this section, the registrar shall collect a contribution of twenty-five dollars. The registrar shall transmit this contribution into the state treasury to the credit of the license plate contribution fund created in section 4501.21 of the Revised Code.

(2) The registrar shall deposit the bureau administrative fee of ten dollars, the purpose of which is to compensate the bureau for additional services required in the issuing of "juvenile diabetes research foundation"

license plates, into the state treasury to the credit of the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code.

Sec. 4503.871.(A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, motorcycle, cab-enclosed motorcycle, or other vehicle of a class approved by the registrar of motor vehicles, and, effective January 1, 2017, the owner or lessee of any motor-driven cycle or motor scooter may apply to the registrar for the registration of the vehicle and issuance of "Solon City Schools" license plates. The application for "Solon City Schools" license plates may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance with division (B) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of "Solon City Schools" license plates with a validation sticker or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed thereon, "Solon City Schools" license plates shall bear words and markings selected by the Solon city school district. The registrar shall approve the final design. "Solon City Schools" license plates shall bear county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) "Solon City Schools" license plates and validation stickers shall be issued upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle tax levied under Chapter 4504. of the Revised Code, a bureau of motor vehicles administrative fee of ten dollars, the contribution specified in division (C) of this section, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for "Solon City Schools" license plates is combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code, the license plates and validation sticker shall be issued upon payment of the contribution, fees, and taxes contained in this division and the additional fee prescribed under section 4503.40 or 4503.42 of the Revised Code.

(C)(1) For each application for registration and registration renewal submitted under this section, the registrar shall collect a contribution of thirty dollars. The registrar shall pay this contribution into the state treasury to the credit of the license plate contribution fund created in section 4501.21 of the Revised Code.

(2) The registrar shall pay the ten-dollar bureau administrative fee, the purpose of which is to compensate the bureau for additional services required in issuing "Solon City Schools" license plates, into the state treasury to the

credit of the state bureau of motor vehicles fund created in section 4501.25 of the Revised Code.

(D) Sections 4503.77 and 4503.78 of the Revised Code do not apply to license plates issued under this section.

Sec. 4503.874. (A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, motorcycle, cab-enclosed motorcycle, or other vehicle of a class approved by the registrar of motor vehicles, and, effective January 1, 2017, the owner or lessee of any motor-driven cycle or motor scooter may apply to the registrar for the registration of the vehicle and issuance of "Lakewood St. Edward High School" license plates. The application for "Lakewood St. Edward High School" license plates may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance with division (B) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of "Lakewood St. Edward High School" license plates with a validation sticker or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed thereon, "Lakewood St. Edward High School" license plates shall bear words and markings selected by Lakewood St. Edward high school. The registrar shall approve the final design. "Lakewood St. Edward High School" license plates shall bear county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) "Lakewood St. Edward High School" license plates and validation stickers shall be issued upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle tax levied under Chapter 4504. of the Revised Code, a bureau of motor vehicles administrative fee of ten dollars, the contribution specified in division (C) of this section, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for "Lakewood St. Edward High School" license plates is combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code, the license plates and validation sticker shall be issued upon payment of the contribution, fees, and taxes contained in this division and the additional fee prescribed under section 4503.40 or 4503.42 of the Revised Code.

(C)(1) For each application for registration and registration renewal submitted under this section, the registrar shall collect a contribution of thirty dollars. The registrar shall pay this contribution into the state treasury to the credit of the license plate contribution fund created in section 4501.21 of the Revised Code.

(2) The registrar shall pay the ten-dollar bureau administrative fee, the purpose of which is to compensate the bureau for additional services required in issuing "Lakewood St. Edward High School" license plates, into the state treasury to the credit of the state bureau of motor vehicles fund created in section 4501.25 of the Revised Code.

(D) Sections 4503.77 and 4503.78 of the Revised Code do not apply to license plates issued under this section.

Sec. 4503.877.(A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, motorcycle, cab-enclosed motorcycle, or other vehicle of a class approved by the registrar of motor vehicles, and, effective January 1, 2017, the owner or lessee of any motor-driven cycle or motor scooter may apply to the registrar for the registration of the vehicle and issuance of "Independence Local Schools" license plates. The application for "Independence Local Schools" license plates may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance with division (B) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of "Independence Local Schools" license plates with a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed thereon, "Independence Local Schools" license plates shall bear words and markings selected by the Independence local school district. The registrar shall approve the final design. "Independence Local Schools" license plates shall bear county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) "Independence Local Schools" license plates and validation stickers shall be issued upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle tax levied under Chapter 4504. of the Revised Code, a bureau of motor vehicles administrative fee of ten dollars, the contribution specified in division (C) of this section, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for "Independence Local Schools" license plates is combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code, the license plates and validation sticker shall be issued upon payment of the contribution, fees, and taxes contained in this division and the additional fee prescribed under section 4503.40 or 4503.42 of the Revised Code.

(C)(1) For each application for registration and registration renewal submitted under this section, the registrar shall collect a contribution of thirty dollars. The registrar shall pay this contribution into the state treasury to the

credit of the license plate contribution fund created in section 4501.21 of the Revised Code.

(2) The registrar shall pay the ten-dollar bureau administrative fee, the purpose of which is to compensate the bureau for additional services required in issuing "Independence Local Schools" license plates, into the state treasury to the credit of the state bureau of motor vehicles fund created in section 4501.25 of the Revised Code.

(D) Sections 4503.77 and 4503.78 of the Revised Code do not apply to license plates issued under this section.

Sec. 4503.901.(A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the registrar of motor vehicles may apply to the registrar for the registration of the vehicle and issuance of "Ohio Pupil Transportation...Safety First!!!" license plates. The application may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance by the applicant with divisions (B) and (C) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of "Ohio Pupil Transportation...Safety First!!!" license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Ohio Pupil Transportation...Safety First!!!" license plates shall be inscribed with the words "Ohio Pupil Transportation...Safety First!!!" and a design, logo, or marking designed by the Ohio association for pupil transportation that is approved by the registrar. "Ohio Pupil Transportation...Safety First!!!" license plates shall display county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) "Ohio Pupil Transportation...Safety First!!!" license plates and a validation sticker, or validation sticker alone, shall be issued upon receipt of an application for registration of a motor vehicle under this section; payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, a bureau of motor vehicles administrative fee of ten dollars, and a contribution as provided in division (C) of this section; and compliance with all other applicable laws relating to the registration of motor vehicles.

(C) For each application for registration and registration renewal notice

the registrar receives under this section, the registrar shall collect a contribution of ten dollars. The registrar shall transmit this contribution to the treasurer of state for deposit into the state treasury to the credit of the license plate contribution fund created by section 4501.21 of the Revised Code.

The registrar shall transmit the bureau of motor vehicles administrative fee of ten dollars, the purpose of which is to compensate the bureau for the additional services required in the issuing of "Ohio Pupil Transportation...Safety First!!!" license plates, to the treasurer of state for deposit into the state treasury to the credit of the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code.

(D) Sections 4503.77 and 4503.78 of the Revised Code do not apply to license plates issued under this section.

Sec. 4503.98.(A) The owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, motorcycle, cab-enclosed motorcycle, or other vehicle of a class approved by the registrar of motor vehicles may apply to the registrar for registration of the vehicle and issuance of Westerville parks foundation license plates. An application made under this section may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance by the applicant with divisions (B) and (C) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of Westerville parks foundation license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, Westerville parks foundation license plates shall be inscribed with identifying words or markings that are designed by the Westerville parks foundation and that are approved by the registrar. Westerville parks foundation license plates shall display county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) Westerville parks foundation license plates and a validation sticker, or validation sticker alone, shall be issued upon receipt of a contribution as provided in division (C)(1) of this section and upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, a bureau of motor vehicles administrative fee of ten dollars, and compliance with all other applicable laws relating to the registration of motor vehicles.

(C)(1) For each application for registration and registration renewal notice the registrar receives under this section, the registrar shall collect a contribution of thirty dollars. The registrar shall transmit this contribution into the state treasury to the credit of the license plate contribution fund created in section 4501.21 of the Revised Code.

(2) The registrar shall deposit the bureau administrative fee of ten dollars, the purpose of which is to compensate the bureau for additional services required in the issuing of Westerville parks foundation license plates, into the state treasury to the credit of the state bureau of motor vehicles fund created in section 4501.25 of the Revised Code.

Sec. 5534.011.In addition to any other name prescribed in the Revised Code or otherwise, that portion of the road known as state route one hundred twenty-five, commencing at the intersection of that route and Markley road and proceeding in an easterly direction to the intersection of that route and five mile road, within Hamilton county only, shall be known as the "Staff Sgt. Richard T. Pummill Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.18.In addition to any other name prescribed in the Revised Code or otherwise, that portion of the road known as interstate route number seventy-seven, running in a northerly and southerly direction, commencing at the location where that interstate route passes underneath east wilbeth road and proceeding in a northerly direction to the location where that interstate route passes underneath lovers lane within Summit county only, shall be known as the "Army Pfc. Michael Dominic Paonessa Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.23. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the road known as state route number forty-eight, running in a northerly and southerly direction between the interchange of that state route and interstate route number seventy-one and the interchange of that state route and ~~state route~~ county road number thirty-eight, also known as Mason Morrow Millgrove road, within Warren county only, shall be known as the "SFC Bobby Lee Estle Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 7, delete "5534.27." and insert "5534.29."

After line 15, insert:

"Sec. 5534.34. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the road known as state route number two commencing at the intersection of that route and United States interstate route number two hundred and eighty and proceeding in an easterly direction to the intersection of state route number two and South Yondota road in Lucas county shall be known as the "Oregon Jerusalem Vietnam Veterans-SP4 Arthur J. Heringhausen Jr., SP4 Ervin E. Harris, CPL Gerald E. Corlett, PFC Joseph G. Gill, PFC Esiquio A. Cantu, 2LT John W. Vaughan, PFC Scott D. Corrello, and A1C John M. Thayer Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.44. In addition to any other name prescribed by the Revised Code or otherwise, that portion of interstate route two hundred seventy, commencing at the interchange of that route and state route one hundred sixty-one in northeast Franklin county and extending in a westerly direction to the intersection of interstate route two hundred seventy and Cemetery road, in the municipal corporation of Hilliard in Franklin county, shall be known as the "Hilliard Patrol Officer Sean Johnson Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.46.In addition to any other name prescribed in the Revised Code or otherwise, the eastbound and westbound lanes of interstate route number ninety between the intersection of that route and Warren road and the intersection of that route and Hilliard road, in Cuyahoga county only, shall be known as the "Trooper Kenny Velez Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.61.In addition to any other name prescribed in the Revised Code or otherwise, that portion of interstate route seventy commencing at mile marker two hundred twenty and three-tenths and proceeding in an easterly direction to mile marker two hundred twenty-one and three-tenths, within Belmont county, shall be known as the "Sergeant Emile DeLeau, Jr. Medal of Honor Recipient Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.62.In addition to any other name prescribed in the Revised Code or otherwise, that portion of interstate route seventy commencing at mile marker two hundred sixteen and eight-tenths and proceeding in an easterly direction to mile marker two hundred seventeen and eight-tenths,

within Belmont county, shall be known as the "Sergeant Sylvester Antolak Medal of Honor Recipient Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.63. The eastbound and westbound lanes of state route number three hundred seventeen between the intersection of that route and state route number twenty-three and the intersection of state route number three hundred seventeen and Bixby road, in Franklin county only, shall be known as the "Sergeant Joseph W. Danison Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.65.In addition to any other name prescribed in the Revised Code or otherwise, that portion of the road known as state route five hundred thirty-four, running in a northerly and southerly direction between the intersection of that route and state route eighty-four and the intersection of that route and Roosevelt drive, within Ashtabula county only, shall be known as the "Sgt. William 'Bill' Endress and Geneva Vietnam War Veterans Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.67.The bridge spanning Schenck creek that is part of state route number thirty-six and that is located in Monroe township in Knox county shall be known as the "Corporal Nathan R. Anderson Memorial Bridge."

The director of transportation may erect suitable markers upon the bridge or its approaches indicating its name.

Sec. 5534.73.In addition to any other name prescribed in the Revised Code or otherwise, that portion of state route number one hundred twenty-four commencing at the intersection of that route and state route number fifty and proceeding in a northwesterly direction to the intersection of that route and Anderson road and Welcome road, in Highland county only, shall be known as the "Army PFC Neil R. Scott Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Section 2. That existing sections 4501.21, 4503.592, 5534.23, and 5534.34 of the Revised Code are hereby repealed."

Attest:

Bradley J. Young,
Clerk.

Senator Obhof moved that the amendments of the House of Representatives to **Am. S. B. No. 207**-Senator Coley, be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the Senate concurred in the amendments of the House of Representatives.

The question being, "Shall the title be agreed to?"

Senator Faber moved to amend the title as follows:

Add the name: "Senator Hackett."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

On the motion of Senator Obhof, the Senate reverted to the second order of business, Reports of Standing and Select Committees.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **Sub. H. B. No. 471**-Representative Brown, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor Coley.

YES - 10: BOB PETERSON, THOMAS F. PATTON, FRANK LAROSE, DAVE BURKE, WILLIAM P. COLEY, II, TROY

BALDERSON, KRIS JORDAN, EDNA BROWN,
MICHAEL J. SKINDELL, WILLIAM SEITZ

NO - 0.

The question being, "Shall the report of the committee be accepted?"
The report of the committee was accepted.

BILLS FOR THIRD CONSIDERATION

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.

To repeal Section 5 of H.B. 57 of the 124th General Assembly, Section 3 of H.B. 204 of the 125th General Assembly, Section 560.03 of H.B. 66 of the 126th General Assembly, Section 3 of S.B. 311 of the 126th General Assembly, Section 8 of S.B. 311 of the 126th General Assembly as subsequently amended, Section 313 of H.B. 420 of the 127th General Assembly, Section 701.05 of H.B. 1 of the 128th General Assembly as subsequently amended, Section 751.20 of H.B. 1 of the 128th General Assembly, Section 5 of S.B. 162 of the 128th General Assembly as subsequently amended, Section 701.40 of H.B. 153 of the 129th General Assembly as subsequently amended, Section 3 of H.B. 276 of the 129th General Assembly, and Section 323.234 of H.B. 59 of the 130th General Assembly to formally abolish certain boards and commissions that have completed their work, and to renew, under Sunset Review Law, certain boards and commissions until December 31, 2020, was considered the third time.

The question being, "Shall the section, Section 36, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the section, Section 36, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schiavoni
Seitz	Skindell	Tavares	Thomas
Uecker	Williams		Faber-31

So the bill having received the required constitutional majority passed as an emergency measure.

The question being, “Shall the title be agreed to?”

Senator Coley moved to amend the title as follows:

Add the names: "Senators Eklund, Faber, Hackett, Jones, Jordan, Patton, Seitz, Uecker."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

On the motion of Senator Obhof, **Sub. H. B. No. 580** having been informally passed, was taken up for consideration.

The question being, "Shall the bill, **Sub. H. B. No. 580**, pass?"

Senator Jones moved to amend as follows:

In line 1 of the title, delete "and" and insert ","; after "5.239" insert ", and 5.2310"

In line 5 of the title, delete "and"

In line 6 of the title, delete "15th" and insert "15"

In line 7 of the title, after "Day" insert "," and to designate May 1 as "Fanconi Anemia Awareness Day"

In line 8, delete "and" and insert ","; after "5.239" insert ", and 5.2310"

After line 15, insert:

"**Sec. 5.2310.** The first day of May is designated as "Fanconi Anemia Awareness Day" in honor of those affected by this rare and debilitating genetic disease."

In line 16, after "in" insert "this section and in Section 3 of"

The question being, “Shall the amendment be agreed to?”

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. Sub. H. B. No. 580**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Eklund	Gardner
Gentile	Hackett	Hite	Hottinger
Hughes	Jones	LaRose	Lehner
Manning	Obhof	Oelslager	Patton
Peterson	Sawyer	Schiavoni	Seitz
Skindell	Tavares	Thomas	Uecker
Williams			Faber-30

Senator Jordan voted in the negative-1.

So the bill passed.

The question being, “Shall the title be agreed to?”

Senator Hite moved to amend the title as follows:

Add the names: "Senators Coley, Eklund, Hackett, Hite, Jones, LaRose, Lehner, Manning, Sawyer, Schiavoni, Tavares, Thomas, Williams."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

On the motion of Senator Obhof, the Senate recessed until 3:02 a.m.

The Senate met pursuant to the recess.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Sub. S. B. No. 3 -Senators Hite, Faber

Cosponsors: Senators Coley, Gardner, Lehner, Balderson, Beagle, Burke, Eklund, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Obhof, Oelslager, Patton, Peterson, Seitz, Uecker, Widener Representatives Brenner, Buchy, Green, Hambley, McColley, Reineke, Schaffer, Schuring

To amend sections 9.833, 149.431, 311.29, 2744.081, 3301.079, 3301.0711, 3301.0712, 3301.0715, 3302.034, 3302.13, 3311.19, 3311.191, 3313.46, 3313.482, 3313.5311, 3313.603, 3313.6013, 3313.618, 3313.6110, 3314.02, 3314.03, 3314.06, 3319.111, 3319.223, 3319.26, 3319.271, 3326.03, 3326.032, 3326.11, 3328.24, 3333.93, 3345.202, and 5709.084; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3319.271 (3319.272); to enact sections 3301.0729, 3302.151, 3311.051, 3313.5314, 3313.6111, 3313.903, and 3345.203 of the Revised Code; to amend Section 733.40 of Am. Sub. H.B. 59 of the 130th General Assembly, as subsequently amended; to amend Section 369.473 of Am. Sub.

H.B. 64 of the 131st General Assembly; and to amend Section 733.40 of Am. Sub. H.B. 59 of the 130th General Assembly, as subsequently amended, to codify it as section 3319.271 of the Revised Code to exempt from certain education laws school districts that meet specified benchmarks; to revise the administration of state assessments; to make other revisions regarding the operation of primary and secondary schools; to authorize county sheriffs to contract to provide services to community schools, nonpublic schools, and private higher education institutions; to revise the Workforce Grant Program; to validate a tax levy question the ballot for which stated an erroneous term; to exempt an arena owned by a convention facilities authority from property taxation; and to enable state colleges and universities to establish joint self-insurance pools and make other changes regarding joint self-insurance pools.

As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Bradley J. Young,
Clerk.

Senator Obhof moved that the amendments of the House of Representatives to **Sub. S. B. No. 3**-Senators Hite, Faber, be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 22, nays 8, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hackett
Hite	Hottinger	Hughes	Jones
LaRose	Lehner	Manning	Obhof
Oelslager	Patton	Peterson	Seitz
Uecker			Faber-22

Senators Brown, Gentile, Jordan, Sawyer, Skindell, Tavares, Thomas, and Williams voted in the negative-8.

So the Senate concurred in the amendments of the House of Representatives.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Am. Sub. S. B. No. 199 -Senators Uecker and Gardner

Cosponsors: Senators Coley, Bacon, Obhof, Eklund, Beagle, Burke, Faber, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Oelslager, Patton, Seitz Representative Perales, Amstutz, Anielski, Antani, Becker, Blessing, Brenner, Burkley, Cera, Conditt, Dean, Dovilla, Ginter, Goodman, Hagan, Hambley, Henne, Hill, Huffman, Koehler, Landis, LaTourette, Maag, Manning, McColley, Merrin, O'Brien, S., Retherford, Rezabek, Ruhl, Schaffer, Smith, R., Sprague, Terhar, Thompson, Young, Speaker Rosenberger

To amend sections 109.731, 1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.126, 2923.16, 2923.21, 4112.02, 4112.05, 4112.08, and 4112.14 of the Revised Code to specify that an active duty member of the U.S. Armed Forces: (1) does not need a concealed handgun license to carry a handgun concealed if the member is carrying valid military identification and documentation of successful completion of specified firearms training; and (2) may be sold or furnished a handgun if the member has received specified firearms training; and to prohibit an employer from discharging or otherwise discriminating against a person with a concealed handgun license who possessed a firearm within the person's private real property or motor vehicle.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 1 of the title, after "109.731," insert "311.42,"

In line 3 of the title, after "2923.16," insert "and"; delete ", 4112.02, 4112.05, 4112.08, and"

In line 4 of the title, delete "4112.14" and insert "and to enact sections 2923.1210 and 5103.132"

In line 12 of the title, delete "and to"

Delete lines 13 through 16 of the title

In line 17 of the title, delete "property or motor vehicle" and insert "to prohibit a business entity from having a policy that prohibits a concealed handgun licensee from transporting or storing a firearm in the person's motor vehicle; to modify the prohibition against carrying a concealed handgun onto institutions of higher education, day-care facilities, aircraft, certain government facilities, public areas of airport terminals, and school safety zones; to allow a sheriff to use concealed handgun license fee revenue to purchase ammunition and firearms; and to authorize certain children's crisis care facilities to maintain firearms"

In line 18, after "109.731," insert "311.42,"

In line 19, after "2923.16," insert "and"

In line 20, delete ", 4112.02, 4112.05, 4112.08, and 4112.14 of the Revised"

In line 21, delete "Code"; after "amended" insert "and sections 2923.1210 and 5103.132 of the Revised Code be enacted"

Between lines 137 and 138, insert:

"Sec. 311.42. (A) Each county shall establish in the county treasury a sheriff's concealed handgun license issuance expense fund. The sheriff of that county shall deposit into that fund all fees paid by applicants for the issuance or renewal of a concealed handgun license or duplicate concealed handgun license under section 2923.125 of the Revised Code and all fees paid by the person seeking a concealed handgun license on a temporary emergency basis under section 2923.1213 of the Revised Code. The county shall distribute all fees deposited into the fund except forty dollars of each fee paid by an applicant under division (B) of section 2923.125 of the Revised Code, fifteen dollars of each fee paid under section 2923.1213 of the Revised Code, and thirty-five dollars of each fee paid under division (F) of section 2923.125 of the Revised Code to the attorney general to be used to pay the cost of background checks performed by the bureau of criminal identification and investigation and the federal bureau of investigation and to cover administrative costs associated with issuing the license.

(B) The sheriff, with the approval of the board of county commissioners, may expend any county portion of the fees deposited into the sheriff's concealed handgun license issuance expense fund for any of the following:

(1) Any costs incurred by the sheriff in connection with performing any administrative functions related to the issuance of concealed handgun licenses under section 2923.125 or 2923.1213 of the Revised Code, including, but not limited to, personnel expenses and any costs associated with a firearm safety education program, or a firearm training or qualification program that the sheriff chooses to fund;

(2) Ammunition and firearms to be used by the sheriff and the sheriff's employees."

In line 518, delete "and" and insert ", "; after "(6)" insert ", and (7)"

In line 521, delete "and" and insert ", "; after "(6)" insert ", and (7)"

In line 571, after "(1)" insert "or (7)"

Between lines 627 and 628, insert:

"(7) If a person being arrested for a violation of division (A)(2) of this section is knowingly in a place described in division (B)(5) of section 2923.126 of the Revised Code and is not authorized to carry a handgun or have a handgun concealed on the person's person or concealed ready at hand under that division, the penalty shall be as follows:

(a) Except as otherwise provided in this division, if the person produces a valid concealed handgun license within ten days after the arrest and has not previously been convicted or pleaded guilty to a violation of division (A)(2) of this section, the person is guilty of a minor misdemeanor;

(b) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to a violation of division (A)(2) of this section, the person is guilty of a misdemeanor of the fourth degree;

(c) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to two violations of division (A)(2) of this section, the person is guilty of a misdemeanor of the third degree;

(d) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to three or more violations of division (A)(2) of this section, or convicted of or pleaded guilty to any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is a dangerous ordnance, the person is guilty of a misdemeanor of the second degree."

In line 749, strike through ", or a law enforcement officer."

In line 752, after the comma insert "a law enforcement officer who is authorized to carry deadly weapons or dangerous ordnance."

In line 780, after the comma insert "school safety training."

In line 799, strike through "(10)" and insert "(8)"

In line 813, strike through "is the driver or passenger" and insert "leaves the handgun"

In line 814, after "vehicle" strike through the balance of the line

In line 815, strike through all before the period

In line 816, after "The" strike through the balance of the line

In line 817, strike through "the Revised Code" and insert "handgun does not leave the motor vehicle."

(d) If the person exits the motor vehicle, the person locks the motor vehicle"

In line 1052, strike through the comma and insert ";

In line 1053, strike through the comma and insert "; any area of"

In line 1054, strike through the comma and insert "that is beyond a passenger or property screening checkpoint or to which access is restricted through security measures by the airport authority or a public agency."

In line 1072, after "vehicle" insert "or unless the licensee is carrying the concealed handgun pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun on the premises"

In line 1076, after "(7)" strike through the balance of the line

Strike through lines 1077 through 1089

In line 1090, strike through "(9)"

In line 1095, after "section" insert ", unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building"

In line 1096, strike through "(10)" and insert "(8)"

In line 1119, after the period strike through the balance of the line

Strike through lines 1120 and 1121

Between lines 1130 and 1131, insert:

"(c) An institution of higher education shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises of the institution, including motor vehicles owned by the institution, unless the institution acted with malicious purpose. An institution of higher education is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the institution's decision to permit a licensee or class of licensees to bring a handgun onto the premises of the institution."

Between lines 1150 and 1151, insert:

"If a person knowingly violates a posted prohibition of the nature described in this division and the posted land or premises is a child day-care center, type A family day-care home, or type B family day-care home, unless

the person is a licensee who resides in a type A family day-care home or type B family day-care home, the person is guilty of aggravated trespass in violation of section 2911.211 of the Revised Code. Except as otherwise provided in this division, the offender is guilty of a misdemeanor of the first degree. If the person previously has been convicted of a violation of this division or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is dangerous ordnance, the offender is guilty of a felony of the fourth degree."

Between lines 1318 and 1319, insert:

"(4) "Governing body" has the same meaning as in section 154.01 of the Revised Code.

Sec. 2923.1210. (A) A business entity, property owner, or public or private employer may not establish, maintain, or enforce a policy or rule that prohibits or has the effect of prohibiting a person who has been issued a valid concealed handgun license from transporting or storing a firearm or ammunition when both of the following conditions are met:

(1) Each firearm and all of the ammunition remains inside the person's privately owned motor vehicle while the person is physically present inside the motor vehicle, or each firearm and all of the ammunition is locked within the trunk, glove box, or other enclosed compartment or container within or on the person's privately owned motor vehicle;

(2) The vehicle is in a location where it is otherwise permitted to be.

(B) No business entity, property owner, or public or private employer shall be held liable in any civil action for damages, injuries, or death resulting from or arising out of another person's actions involving a firearm or ammunition transported or stored pursuant to division (A) of this section including the theft of a firearm from an employee's or invitee's automobile, unless the business entity, property owner, or public or private employer intentionally solicited or procured the other person's injurious actions."

Delete lines 1750 through 2631 and insert:

"**Sec. 5103.132.**(A) As used in this section, "firearm" has the same meaning as in section 2923.11 of the Revised Code.

(B) A children's crisis care facility that has as its primary purpose the provision of residential and other care to infants who are born drug exposed and that regularly maintains on its premises schedule II controlled substances, as defined in section 3719.01 of the Revised Code, may do both of the following:

(1) Maintain firearms at the facility;

(2) Permit security personnel to bear firearms while on the grounds of the facility."

In line 2632, after "109.731," insert "311.42,"

In line 2634, after "2923.16," insert "and"; delete ", 4112.02, 4112.05, 4112.08, and 4112.14 of the"

Attest:

Bradley J. Young,
Clerk.

Senator Obhof moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 199**-Senators Uecker, Gardner, be brought up for consideration.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 22, nays 8, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Gardner	Gentile	Hackett
Hite	Hottinger	Hughes	Jones
Jordan	LaRose	Manning	Obhof
Oelslager	Patton	Peterson	Seitz
Uecker			Faber-22

Senators Brown, Eklund, Lehner, Sawyer, Skindell, Tavares, Thomas, and Williams voted in the negative-8.

So the Senate concurred in the amendments of the House of Representatives.

On the motion of Senator Obhof, the Senate adjourned until Friday, December 9, 2016 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.