

As Re-reported by the Senate Finance Committee

132nd General Assembly

Regular Session

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Sub. H. B. No. 500

Representative Carfagna

Cosponsors: Representatives Arndt, Hambley, Hill, Lang, LaTourette, Patton, Schaffer, Seitz, Stein, Ginter, Anielski, Barnes, Blessing, Brenner, Brown, Craig, Dever, Duffey, Faber, Gavarone, Green, Henne, Holmes, Hoops, Hughes, Johnson, Keller, Landis, Leland, Lepore-Hagan, Manning, McClain, Miller, O'Brien, Patterson, Pelanda, Perales, Reineke, Riedel, Rogers, Ryan, Sheehy, West, Young, Speaker Smith

Senator Uecker

A BILL

To amend sections 349.03, 505.01, 505.04, 505.482, 1
507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 2
519.12, 519.13, 519.15, 1509.07, 3375.121, 3
3501.021, 3709.03, 5541.04, 5553.04, 5705.121, 4
5705.19, 5709.73, and 5709.75 and to repeal 5
sections 711.25, 711.26, and 711.27 of the 6
Revised Code, to amend Sections 221.20 and 7
361.10 of Am. Sub. H.B. 49 of the 132nd General 8
Assembly and Section 221.10 of Am. Sub. H.B. 49 9
of the 132nd General Assembly, as subsequently 10
amended, to make various changes to township 11
law, to make an appropriation for Pike County 12
capital case litigation, and to make an 13
appropriation for Death Benefit Fund 14
beneficiaries. 15

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

Section 1. That sections 349.03, 505.01, 505.04, 505.482, 16
507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 519.12, 519.13, 17
519.15, 1509.07, 3375.121, 3501.021, 3709.03, 5541.04, 5553.04, 18
5705.121, 5705.19, 5709.73, and 5709.75 of the Revised Code be 19
amended to read as follows: 20

Sec. 349.03. (A) Proceedings for the organization of a new 21
community authority shall be initiated by a petition filed by 22
the developer in the office of the clerk of the organizational 23
board of commissioners. Such petition shall be signed by the 24
developer and may be signed by each proximate city. The 25
legislative authorities of each such proximate city shall act in 26
behalf of such city. Such petition shall contain: 27

(1) The name of the proposed new community authority; 28

(2) The address where the principal office of the 29
authority will be located or the manner in which the location 30
will be selected; 31

(3) A map and a full and accurate description of the 32
boundaries of the new community district together with a 33
description of the properties within such boundaries, if any, 34
which will not be included in the new community district. 35

The total acreage included in such district ~~shall not be~~ 36
~~less than one thousand acres, all of which acreage shall be~~ 37
owned by, or under the control through leases of at least 38
seventy-five years' duration, options, or contracts to purchase, 39
of the developer, if the developer is a private entity, unless 40
one of the following applies: 41

(a) The district is wholly contained within municipal 42
corporations. 43

(b) More than one-half of the proposed district is, at the 44

time of filing the petition under this section, contained within 45
a joint economic development district created under sections 46
715.70 to 715.83 of the Revised Code. 47

(4) A statement setting forth the zoning regulations 48
proposed for zoning the area within the boundaries of the new 49
community district for comprehensive development as a new 50
community, and if the area has been zoned for such development, 51
a certified copy of the applicable zoning regulations therefor; 52

(5) A current plan indicating the proposed development 53
program for the new community district, the land acquisition and 54
land development activities, community facilities, services 55
proposed to be undertaken by the new community authority under 56
such program, the proposed method of financing such activities 57
and services, including a description of the bases, timing, and 58
manner of collecting any proposed community development charges, 59
and the projected total residential population of, and 60
employment within, the new community; 61

(6) A suggested number of members, consistent with section 62
349.04 of the Revised Code, for the board of trustees; 63

(7) A preliminary economic feasibility analysis, including 64
the area development pattern and demand, location and proposed 65
new community district size, present and future socio-economic 66
conditions, public services provision, financial plan, and the 67
developer's management capability; 68

(8) A statement that the development will comply with all 69
applicable environmental laws and regulations. 70

Upon the filing of such petition, the organizational board 71
of commissioners shall determine whether such petition complies 72
with the requirements of this section as to form and substance. 73

The board in subsequent proceedings may at any time permit the petition to be amended in form and substance to conform to the facts by correcting any errors in the description of the proposed new community district or in any other particular.

Upon the determination of the organizational board of commissioners that a sufficient petition has been filed in accordance with this section, the board shall fix the time and place of a hearing on the petition for the establishment of the proposed new community authority. Such hearing shall be held not less than ninety-five nor more than one hundred fifteen days after the petition filing date, except that if the petition has been signed by all proximate cities or if the organizational board of commissioners is the legislative authority of the only proximate city for the proposed new community district, such hearing shall be held not less than thirty nor more than forty-five days after the petition filing date. The clerk of the organizational board of commissioners with which the petition was filed shall give notice thereof by publication once each week for three consecutive weeks, or as provided in section 7.16 of the Revised Code, in a newspaper of general circulation in any county of which a portion is within the proposed new community district. Except where the organizational board of commissioners is the legislative authority of the only proximate city for the proposed new community district, such clerk shall also give written notice of the date, time, and place of the hearing and furnish a certified copy of the petition to the clerk of the legislative authority of each proximate city which has not signed such petition. Except where the organizational board of commissioners is the legislative authority of the only proximate city for the proposed new community district, in the event that the legislative authority of a proximate city which

did not sign the petition does not approve by ordinance, 105
resolution, or motion the establishment of the proposed new 106
community authority and does not deliver such ordinance, 107
resolution, or motion to the clerk of the organizational board 108
of commissioners with which the petition was filed within ninety 109
days following the date of the first publication of the notice 110
of the public hearing, the organizational board of commissioners 111
shall cancel such public hearing and terminate the proceedings 112
for the establishment of the new community authority. 113

Upon the hearing, if the organizational board of 114
commissioners determines by resolution that the proposed new 115
community district will be conducive to the public health, 116
safety, convenience, and welfare, and is intended to result in 117
the development of a new community, the board shall by its 118
resolution, declare the new community authority to be organized 119
and a body politic and corporate with the corporate name 120
designated in the resolution, and define the boundary of the new 121
community district. In addition, the resolution shall provide 122
the method of selecting the board of trustees of the new 123
community authority and fix the surety for their bonds in 124
accordance with section 349.04 of the Revised Code. 125

If the organizational board of commissioners finds that 126
the establishment of the district will not be conducive to the 127
public health, safety, convenience, or welfare, or is not 128
intended to result in the development of a new community, it 129
shall reject the petition thereby terminating the proceedings 130
for the establishment of the new community authority. 131

(B) At any time after the creation of a new community 132
authority, the developer may file an application with the clerk 133
of the organizational board of commissioners with which the 134

original petition was filed, setting forth a general description 135
of territory it desires to add or to delete from such district, 136
that such change will be conducive to the public health, safety, 137
convenience, and welfare, and will be consistent with the 138
development of a new community and will not jeopardize the plan 139
of the new community. If the developer is not a municipal 140
corporation, port authority, or county, all of such an addition 141
to such a district shall be owned by, or under the control 142
through leases of at least seventy-five years' duration, 143
options, or contracts to purchase, of the developer. Upon the 144
filing of the application, the organizational board of 145
commissioners shall follow the same procedure as required by 146
this section in relation to the petition for the establishment 147
of the proposed new community. 148

(C) If all or any part of the new community district is 149
annexed to one or more existing municipal corporations, their 150
legislative authorities may appoint persons to replace any 151
appointed citizen member of the board of trustees. The number of 152
such trustees to be replaced by the municipal corporation shall 153
be the number, rounded to the lowest integer, bearing the 154
proportionate relationship to the number of existing appointed 155
citizen members as the acreage of the new community district 156
within such municipal corporation bears to the total acreage of 157
the new community district. If any such municipal corporation 158
chooses to replace an appointed citizen member, it shall do so 159
by ordinance, the term of the trustee being replaced shall 160
terminate thirty days from the date of passage of such 161
ordinance, and the trustee to be replaced shall be determined by 162
lot. Each newly appointed member shall assume the term of the 163
member's predecessor. 164

Sec. 505.01. In each township there shall be a board of 165

township trustees consisting of three members. Two of such 166
trustees shall be elected at the general election in nineteen 167
forty-nine and quadrennially thereafter, in each township, who 168
shall hold office for a term of four years, commencing on the 169
first day of January next after their election. The third 170
trustee shall be elected at the general election in nineteen 171
fifty-one and quadrennially thereafter, in each township, who 172
shall hold office for a term of four years, commencing on the 173
first day of January next after ~~his~~ the person's election. 174

At the first meeting of the board each calender year, the 175
board shall select one of its members to serve as chairperson 176
for a term of one year. If the position of chairperson becomes 177
vacant, the board shall select one of its members to preside. 178

Sec. 505.04. The board of township trustees shall make an 179
inventory on the second Monday of January, each year, of all the 180
materials, machinery, tools, and other township supplies in its 181
possession. The inventory shall be a public record and ~~shall be~~ 182
~~made in duplicate, one copy of which shall be filed with the~~ 183
~~fiscal officer of the board and one copy with the county~~ 184
~~engineer~~ township. 185

Sec. 505.482. (A) The boards of township trustees of any 186
two or more contiguous townships, or the boards of township 187
trustees of one or more contiguous townships and the legislative 188
authorities of one or more contiguous municipal corporations, 189
whether or not within the same county, by adoption of a joint 190
resolution by a majority favorable vote of each such board and 191
of the members of the legislative authority of each such 192
municipal corporation, may form themselves into a joint police 193
district comprising all or any part of the townships or 194
municipal corporations as are mutually agreed upon. The 195

governing body of the joint police district shall be a joint 196
police district board, which shall include either all of the 197
township trustees of each township and all of the members of the 198
legislative authority of each municipal corporation in the 199
district, as agreed to and established in the joint resolution 200
creating the joint police district; or an odd number of members 201
as agreed to and established in the joint resolution, as long as 202
the members are representatives from each board of township 203
trustees of each township and from the legislative authority of 204
each municipal corporation in the joint police district. 205

(B) The joint police district board shall organize within 206
thirty days after the favorable vote by the last board of 207
township trustees or the members of the legislative authority of 208
the last municipal corporation joining itself into the joint 209
police district board. The ~~president~~chairperson of the board of 210
township trustees of the most populous participating township or 211
the legislative authority of the most populous participating 212
municipal corporation shall give notice of the time and place of 213
organization to each pending member of the joint police district 214
board, as established in the joint resolution. Such notice shall 215
be signed and shall be sent by certified mail to each such 216
pending member of the board at least five days prior to the 217
organization meeting, which meeting shall be held in one of the 218
participating townships or municipal corporations. Two-thirds of 219
the joint police district board members constitutes a quorum. 220
The members of the joint police district board shall, at the 221
organization meeting, proceed with the election of a president, 222
a secretary, and a treasurer, and such other officers as they 223
consider necessary and proper, and shall transact such other 224
business as properly comes before the board. 225

(C) In the formation of a joint police district, such 226

action may be taken by or on behalf of part of a township, by 227
excluding that portion of the township lying within a municipal 228
corporation. The joint police district board may exercise the 229
same powers as are granted to a board of township trustees in 230
the operation of a township police district under sections 231
505.49 to 505.55 of the Revised Code, including, but not limited 232
to, the power to employ, train, and discipline personnel, to 233
acquire equipment and buildings, to levy a tax, to issue bonds 234
and notes, and to dissolve the district. 235

Sec. 507.11. (A) The board of township trustees may 236
authorize, by resolution, township officers and employees to 237
incur obligations of ~~two ten~~ thousand ~~five hundred~~ dollars or 238
less on behalf of the township, or it may authorize, by 239
resolution, the township administrator to so authorize township 240
officers and employees. The obligations incurred on behalf of 241
the township by a township officer or employee acting pursuant 242
to any such resolution shall be subsequently approved by the 243
adoption of a formal resolution of the board of township 244
trustees. 245

(B) (1) No money belonging to the township shall be paid 246
out, except upon an order signed by at least two of the township 247
trustees, and countersigned by the township fiscal officer. 248

(2) As provided in division (E) of section 9.37 of the 249
Revised Code, and notwithstanding division (B) (1) of this 250
section, a board of township trustees may adopt a resolution 251
authorizing the payment of lawful obligations of the township by 252
direct deposit of funds by electronic transfer in accordance 253
with section 9.37 of the Revised Code. 254

Sec. 513.07. The boards of township trustees of any two or 255
more contiguous townships, whether or not within the same 256

county, may, by a two-thirds favorable vote of each such board, 257
form themselves into a joint township district hospital board 258
for the purpose of establishing, constructing, and maintaining a 259
joint township district general hospital or other hospital 260
facilities as defined in section 140.01 of the Revised Code, and 261
such townships shall be a part of a joint township hospital 262
district. 263

Such joint township district hospital board shall organize 264
within thirty days after the favorable vote by the last board of 265
trustees joining itself into the joint township district 266
hospital board. The ~~president~~ chairperson of the board of 267
township trustees of the most populous township participating 268
shall give notice of the time and place of organization to each 269
member of the board of township trustees of each township 270
comprising the district. Such notice shall be signed by the 271
~~president~~ chairperson of the board of township trustees of the 272
most populous township comprising the district, and shall be 273
sent by registered mail to each member of the board of township 274
trustees of the townships affected, at least five days prior to 275
such organization meeting, which meeting shall be held in one of 276
the participating townships. All members of the board of 277
township trustees of the townships so participating shall 278
comprise the joint township district hospital board. Two-thirds 279
of all the township trustees of the townships constituting such 280
district constitutes a quorum. Such members of the boards of 281
township trustees shall, at the organization meeting of such 282
joint township district hospital board, proceed with the 283
election of a president, a secretary, and a treasurer, and such 284
other officers as they deem proper and necessary, and shall 285
transact such other business as properly comes before such 286
board. 287

In the formation of such a hospital district, such action 288
may be taken by or on behalf of part of a township, by excluding 289
that portion of the township lying within a municipal 290
corporation. 291

Sec. 513.071. A municipal corporation which is not at the 292
time part of a joint township hospital district may, by a two- 293
thirds favorable vote of its legislative authority, participate 294
in the formation of a joint township district hospital board 295
pursuant to section 513.07 of the Revised Code if it is 296
contiguous to another municipal corporation contemplated to be 297
included in the district, or contiguous to, or partly but not 298
wholly within, a township contemplated to be included in the 299
district, or may become a part of an established joint township 300
hospital district pursuant to sections 513.11 and 513.18 of the 301
Revised Code if it is contiguous to the district, or to a 302
township or municipal corporation contiguous to the district 303
which will at the same time become part of such district. So 304
long as such municipal corporation remains a part of such 305
district, it may not be included, as part of a township, in 306
another joint township hospital district, but the remainder of 307
such township may become part of a joint township hospital 308
district pursuant to section 513.07, 513.11, or 513.18 of the 309
Revised Code. Each such municipal corporation shall be 310
represented on the joint township district hospital board by the 311
presiding officer of its legislative authority, who shall act as 312
~~president~~ chairperson of a board of township trustees for the 313
purposes of section 513.07 of the Revised Code, and by two 314
members of such legislative authority to be appointed from time 315
to time by the legislative authority and to serve for such term 316
or terms as it prescribes. For the purpose of such 317
representation such presiding officer and members shall be 318

considered as a board of township trustees; but for all other 319
purposes of sections 513.07 to 513.18, inclusive, of the Revised 320
Code, the legislative authority shall be considered as the board 321
of township trustees and shall perform the duties imposed on 322
that board by such sections. 323

Any indebtedness incurred by a joint township hospital 324
district shall not constitute an indebtedness of any municipal 325
corporation or any township. 326

Where a municipal corporation as a part of a township is 327
territorially a part of a joint township hospital district and 328
thereafter its corporate limits are made identical with those of 329
a township, such municipal corporation shall as a township 330
remain a part of such joint township hospital district and shall 331
be bound by all agreements or obligations theretofore or 332
thereafter entered into or assumed, and the taxable property 333
therein shall be subject to all tax levies, including tax levies 334
for bonds of the joint township hospital district, theretofore 335
or thereafter imposed by the district pursuant to sections 336
513.07 to 513.18, inclusive, of the Revised Code. Such municipal 337
corporation shall be entitled, as a new and separate township, 338
to representation on the joint township district hospital board 339
in the same manner as is provided in this section when a joint 340
township district hospital board in the same manner as is 341
provided in this section when a joint township hospital district 342
is formed. 343

Sec. 517.30. A board of township trustees may erect a 344
suitable monument to commemorate the members of the armed forces 345
who died in the service of the United States or of this state. 346
The board, by a majority vote, may appropriate and expend not 347
more than ~~five~~fifty thousand dollars from township funds for 348

the purpose of erecting the monument, according to plans and 349
specifications furnished or approved by the board. 350

Sec. 519.04. (A) The board of township trustees of any 351
township proceeding under sections 519.01 to 519.99 of the 352
Revised Code, shall create and establish a township zoning 353
commission. The commission shall be composed of five members who 354
reside in the unincorporated area of the township, to be 355
appointed by the board. The board of township trustees may 356
appoint two alternate members to the township zoning commission, 357
for terms to be determined by the board of township trustees. An 358
alternate member shall take the place of an absent regular 359
member at any meeting of the township zoning commission, 360
according to procedures prescribed by resolution by the board of 361
township trustees. An alternate member shall meet the same 362
appointment criteria as a regular member. When attending a 363
meeting on behalf of an absent member, the alternate member may 364
vote on any matter on which the absent member is authorized to 365
vote. The terms of the regular members shall be of such length 366
and so arranged that the term of one member will expire each 367
year. Where there is a county or regional planning commission 368
the board may appoint qualified members of such commission to 369
serve on the township zoning commission. Each regular or 370
alternate member shall serve until the member's successor is 371
appointed and qualified. 372

(B) Members of the zoning commission shall be removable 373
for nonperformance of duty, misconduct in office, or other cause 374
by the board, upon written charges being filed with the board, 375
after a public hearing has been held regarding ~~such the~~ charges, 376
and after a copy of the charges has been served upon the member 377
so charged at least ten days ~~prior to~~ before the hearing, either 378
personally, by registered mail, or by leaving ~~such the~~ copy at 379

the member's usual place of residence. The hearing shall occur 380
within sixty days after the charges are filed. The member shall 381
be given an opportunity to be heard and answer ~~such the~~ charges. 382
Upon the approval of a majority of the board of township 383
trustees, the member may be suspended from participating as a 384
member of the zoning commission during the period of up to sixty 385
days before the pending hearing on the removal. Vacancies shall 386
be filled by the board and shall be for the unexpired term. A 387
suspension authorized by this section is not a vacancy for 388
purposes of this section. 389

(C) The decision of the board of township trustees 390
regarding the suspension or removal may be appealed under 391
Chapter 2506. of the Revised Code. 392

Sec. 519.07. ~~Following~~ (A) Except as provided in division 393
(B) of this section, following the hearing provided for in 394
section 519.06 of the Revised Code the township zoning 395
commission shall submit the proposed zoning resolution, 396
including text and maps, to the county or regional planning 397
commission of the county or district in which the township is 398
located, if there is such a commission, for approval, 399
disapproval, or suggestions. 400

The approval of the planning commission shall be 401
conclusively presumed unless, within twenty days after receiving 402
the proposed zoning resolution, it notifies the zoning 403
commission to the contrary. 404

In the event the planning commission disapproves of the 405
proposed zoning resolution or suggests any material change, the 406
zoning commission shall hold a public hearing on the resolution, 407
due notice of which shall be given as provided in section 519.06 408
of the Revised Code. ~~When~~ 409

When the zoning commission has completed its 410
recommendations for a zoning plan it shall certify the plan to 411
the board of township trustees. 412

(B) The township zoning commission of a township that has 413
adopted a limited home rule government under Chapter 504. of the 414
Revised Code is not subject to division (A) of this section but 415
may choose to comply with division (A) of this section. 416

Sec. 519.12. (A) (1) Amendments to the zoning resolution 417
may be initiated by motion of the township zoning commission, by 418
the passage of a resolution by the board of township trustees, 419
or by the filing of an application by one or more of the owners 420
or lessees of property within the area proposed to be changed or 421
affected by the proposed amendment with the township zoning 422
commission. The board of township trustees may require that the 423
owner or lessee of property filing an application to amend the 424
zoning resolution pay a fee to defray the cost of advertising, 425
mailing, filing with the county recorder, and other expenses. If 426
the board of township trustees requires such a fee, it shall be 427
required generally, for each application. The board of township 428
trustees, upon the passage of such a resolution, shall certify 429
it to the township zoning commission. 430

(2) Upon the adoption of a motion by the township zoning 431
commission, the certification of a resolution by the board of 432
township trustees to the commission, or the filing of an 433
application by property owners or lessees as described in 434
division (A) (1) of this section with the commission, the 435
commission shall set a date for a public hearing, which date 436
shall not be less than twenty nor more than forty days from the 437
date of the certification of such a resolution, the date of 438
adoption of such a motion, or the date of the filing of such an 439

application. Notice of the hearing shall be given by the 440
commission by one publication in one or more newspapers of 441
general circulation in the township at least ten days before the 442
date of the hearing. 443

(B) If the proposed amendment intends to rezone or 444
redistrict ten or fewer parcels of land, as listed on the county 445
auditor's current tax list, written notice of the hearing shall 446
be mailed by the township zoning commission, by first class 447
mail, at least ten days before the date of the public hearing to 448
all owners of property within and contiguous to and directly 449
across the street from the area proposed to be rezoned or 450
redistricted to the addresses of those owners appearing on the 451
county auditor's current tax list. The failure of delivery of 452
that notice shall not invalidate any such amendment. 453

(C) If the proposed amendment intends to rezone or 454
redistrict ten or fewer parcels of land as listed on the county 455
auditor's current tax list, the published and mailed notices 456
shall set forth the time, date, and place of the public hearing 457
and include all of the following: 458

(1) The name of the township zoning commission that will 459
be conducting the hearing; 460

(2) A statement indicating that the motion, resolution, or 461
application is an amendment to the zoning resolution; 462

(3) A list of the addresses of all properties to be 463
rezoned or redistricted by the proposed amendment and of the 464
names of owners of those properties, as they appear on the 465
county auditor's current tax list; 466

(4) The present zoning classification of property named in 467
the proposed amendment and the proposed zoning classification of 468

that property;	469
(5) The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing;	470 471 472 473
(6) The name of the person responsible for giving notice of the hearing by publication, by mail, or by both publication and mail;	474 475 476
(7) A statement that, after the conclusion of the hearing, the matter will be submitted to the board of township trustees for its action;	477 478 479
(8) Any other information requested by the commission.	480
(D) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:	481 482 483 484 485
(1) The name of the township zoning commission that will be conducting the hearing on the proposed amendment;	486 487
(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;	488 489
(3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the hearing;	490 491 492
(4) The name of the person responsible for giving notice of the hearing by publication;	493 494
(5) A statement that, after the conclusion of the hearing,	495

the matter will be submitted to the board of township trustees 496
for its action; 497

(6) Any other information requested by the commission. 498

(E) ~~Within~~ (1) (a) Except as provided in division (E) (1) (b) 499
of this section, within five days after the adoption of the 500
motion described in division (A) of this section, the 501
certification of the resolution described in division (A) of 502
this section, or the filing of the application described in 503
division (A) of this section, the township zoning commission 504
shall transmit a copy of it together with text and map 505
pertaining to it to the county or regional planning commission, 506
if there is such a commission, for approval, disapproval, or 507
suggestions. 508

The county or regional planning commission shall recommend 509
the approval or denial of the proposed amendment or the approval 510
of some modification of it and shall submit its recommendation 511
to the township zoning commission. The recommendation shall be 512
considered at the public hearing held by the township zoning 513
commission on the proposed amendment. 514

(b) The township zoning commission of a township that has 515
adopted a limited home rule government under Chapter 504. of the 516
Revised Code is not subject to division (E) (1) (a) of this 517
section but may choose to comply with division (E) (1) (a) of this 518
section. 519

(2) The township zoning commission, within thirty days 520
after the hearing, shall recommend the approval or denial of the 521
proposed amendment, or the approval of some modification of it, 522
and submit that recommendation together with the motion, 523
application, or resolution involved, the text and map pertaining 524

to the proposed amendment, and the recommendation of the county 525
or regional planning commission on it to the board of township 526
trustees. 527

(3) The board of township trustees, upon receipt of that 528
recommendation, shall set a time for a public hearing on the 529
proposed amendment, which date shall not be more than thirty 530
days from the date of the receipt of that recommendation. Notice 531
of the hearing shall be given by the board by one publication in 532
one or more newspapers of general circulation in the township, 533
at least ten days before the date of the hearing. 534

(F) If the proposed amendment intends to rezone or 535
redistrict ten or fewer parcels of land as listed on the county 536
auditor's current tax list, the published notice shall set forth 537
the time, date, and place of the public hearing and include all 538
of the following: 539

(1) The name of the board of township trustees that will 540
be conducting the hearing; 541

(2) A statement indicating that the motion, application, 542
or resolution is an amendment to the zoning resolution; 543

(3) A list of the addresses of all properties to be 544
rezoned or redistricted by the proposed amendment and of the 545
names of owners of those properties, as they appear on the 546
county auditor's current tax list; 547

(4) The present zoning classification of property named in 548
the proposed amendment and the proposed zoning classification of 549
that property; 550

(5) The time and place where the motion, application, or 551
resolution proposing to amend the zoning resolution will be 552
available for examination for a period of at least ten days 553

prior to the hearing;	554
(6) The name of the person responsible for giving notice	555
of the hearing by publication, by mail, or by both publication	556
and mail;	557
(7) Any other information requested by the board.	558
(G) If the proposed amendment alters the text of the	559
zoning resolution, or rezones or redistricts more than ten	560
parcels of land as listed on the county auditor's current tax	561
list, the published notice shall set forth the time, date, and	562
place of the public hearing and include all of the following:	563
(1) The name of the board of township trustees that will	564
be conducting the hearing on the proposed amendment;	565
(2) A statement indicating that the motion, application,	566
or resolution is an amendment to the zoning resolution;	567
(3) The time and place where the text and maps of the	568
proposed amendment will be available for examination for a	569
period of at least ten days prior to the hearing;	570
(4) The name of the person responsible for giving notice	571
of the hearing by publication;	572
(5) Any other information requested by the board.	573
(H) Within twenty days after its public hearing, the board	574
of township trustees shall either adopt or deny the	575
recommendations of the township zoning commission or adopt some	576
modification of them. If the board denies or modifies the	577
commission's recommendations, a majority vote of the board shall	578
be required.	579
The proposed amendment, if adopted by the board, shall	580

become effective in thirty days after the date of its adoption, 581
unless, within thirty days after the adoption, there is 582
presented to the board of township trustees a petition, signed 583
by a number of registered electors residing in the 584
unincorporated area of the township or part of that 585
unincorporated area included in the zoning plan equal to not 586
less than eight per cent of the total vote cast for all 587
candidates for governor in that area at the most recent general 588
election at which a governor was elected, requesting the board 589
of township trustees to submit the amendment to the electors of 590
that area for approval or rejection at a special election to be 591
held on the day of the next primary or general election that 592
occurs at least ninety days after the petition is filed. Each 593
part of this petition shall contain the number and the full and 594
correct title, if any, of the zoning amendment resolution, 595
motion, or application, furnishing the name by which the 596
amendment is known and a brief summary of its contents. In 597
addition to meeting the requirements of this section, each 598
petition shall be governed by the rules specified in section 599
3501.38 of the Revised Code. 600

The form of a petition calling for a zoning referendum and 601
the statement of the circulator shall be substantially as 602
follows: 603

"PETITION FOR ZONING REFERENDUM 604

(if the proposal is identified by a particular name or number, 605
or both, these should be inserted here) 606

A proposal to amend the zoning map of the unincorporated 607
area of Township, County, Ohio, 608
adopted(date)..... (followed by brief summary of the 609
proposal). 610

To the Board of Township Trustees of 611
Township, County, Ohio: 612
613

We, the undersigned, being electors residing in the 614
unincorporated area of Township, 615
included within the Township Zoning Plan, equal to 616
not less than eight per cent of the total vote cast for all 617
candidates for governor in the area at the preceding general 618
election at which a governor was elected, request the Board of 619
Township Trustees to submit this amendment of the zoning 620
resolution to the electors of Township 621
residing within the unincorporated area of the township included 622
in the Township Zoning Resolution, for 623
approval or rejection at a special election to be held on the 624
day of the primary or general election to be held on 625
(date)....., pursuant to section 519.12 of the Revised Code. 626

Street Address	Date of	627
Signature or R.F.D. Township Precinct County	Signing	628
.....		629
.....		630

STATEMENT OF CIRCULATOR 631

I,(name of circulator)....., declare under 632
penalty of election falsification that I am an elector of the 633
state of Ohio and reside at the address appearing below my 634
signature; that I am the circulator of the foregoing part 635
petition containing(number)..... signatures; that I 636
have witnessed the affixing of every signature; that all signers 637
were to the best of my knowledge and belief qualified to sign; 638
and that every signature is to the best of my knowledge and 639

belief the signature of the person whose signature it purports 640
to be or of an attorney in fact acting pursuant to section 641
3501.382 of the Revised Code. 642

..... 643

(Signature of circulator) 644

..... 645

(Address of circulator's permanent 646

residence in this state) 647

..... 648

(City, village, or township, 649

and zip code) 650

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 651

FELONY OF THE FIFTH DEGREE." 652

The petition shall be filed with the board of township 653

trustees and shall be accompanied by an appropriate map of the 654

area affected by the zoning proposal. Within two weeks after 655

receiving a petition filed under this section, the board of 656

township trustees shall certify the petition to the board of 657

elections. A petition filed under this section shall be 658

certified to the board of elections not less than ninety days 659

prior to the election at which the question is to be voted upon. 660

The board of elections shall determine the sufficiency and 661

validity of each petition certified to it by a board of township 662

trustees under this section. If the board of elections 663

determines that a petition is sufficient and valid, the question 664

shall be voted upon at a special election to be held on the day 665

of the next primary or general election that occurs at least 666

ninety days after the date the petition is filed with the board 667
of township trustees, regardless of whether any election will be 668
held to nominate or elect candidates on that day. 669

No amendment for which such a referendum vote has been 670
requested shall be put into effect unless a majority of the vote 671
cast on the issue is in favor of the amendment. Upon 672
certification by the board of elections that the amendment has 673
been approved by the voters, it shall take immediate effect. 674

Within five working days after an amendment's effective 675
date, the board of township trustees shall file the text and 676
maps of the amendment in the office of the county recorder and 677
with the county or regional planning commission, if one exists. 678

The failure to file any amendment, or any text and maps, 679
or duplicates of any of these documents, with the office of the 680
county recorder or the county or regional planning commission as 681
required by this section does not invalidate the amendment and 682
is not grounds for an appeal of any decision of the board of 683
zoning appeals. 684

Sec. 519.13. (A) In any township which adopts zoning 685
regulations the board of township trustees shall appoint a 686
township board of zoning appeals composed of five members who 687
shall be residents of the unincorporated territory in the 688
township included in the area zoned. The board of township 689
trustees may appoint two alternate members to the township board 690
of zoning appeals, for terms to be determined by the board of 691
township trustees. An alternate member shall take the place of 692
an absent regular member at any meeting of the board of zoning 693
appeals, according to procedures prescribed by resolution by the 694
board of township trustees. An alternate member shall meet the 695
same appointment criteria as a regular member. When attending a 696

meeting on behalf of an absent member, the alternate member may 697
vote on any matter on which the absent member is authorized to 698
vote. The terms of all regular members shall be of such length 699
and so arranged that the term of one member will expire each 700
year. Each regular or alternate member shall serve until the 701
member's successor is appointed and qualified. 702

(B) Members shall be removable for the same causes and in 703
the same manner and may be suspended as provided by section 704
519.04 of the Revised Code. The decision of the board of 705
township trustees regarding the suspension or removal may be 706
appealed under Chapter 2506. of the Revised Code. Vacancies 707
shall be filled by the board of township trustees and shall be 708
for the unexpired term. A suspension authorized by section 709
519.04 of the Revised Code is not a vacancy for purposes of this 710
section. The members may be allowed their expenses, or such 711
compensation, or both, as the board of township trustees may 712
approve and provide. 713

(C) The board of zoning appeals may, within the limits of 714
the moneys appropriated by the board of township trustees for 715
the purpose, employ such executive, professional, technical, and 716
other assistants as it considers necessary. 717

Sec. 519.15. The township board of zoning appeals shall 718
organize and adopt rules in accordance with the zoning 719
resolution. Meetings of the board of zoning appeals shall be 720
held at the call of the chairperson, and at such other times as 721
the board determines. The chairperson, or in the chairperson's 722
absence the acting chairperson, may administer oaths, and the 723
board of zoning appeals may compel the attendance of witnesses. 724
All meetings of the board of zoning appeals shall be open to the 725
public. The board of zoning appeals shall keep minutes of its 726

proceedings showing the vote of each regular or alternate member 727
upon each question, or, if absent or failing to vote, indicating 728
such fact, and shall keep records of its examinations and other 729
official actions, all of which shall be immediately filed in the 730
office of the board of township trustees and be a public record. 731

Appeals to the board of zoning appeals may be taken by any 732
person aggrieved or by any officer of the township affected by 733
any decision of the administrative officer. Such appeal shall be 734
taken within twenty days after the decision by filing, with the 735
officer from whom the appeal is taken and with the board of 736
zoning appeals, a notice of appeal specifying the grounds. The 737
officer from whom the appeal is taken shall transmit to the 738
board of zoning appeals all the papers constituting the record 739
upon which the action appealed from was taken. 740

The board of zoning appeals shall fix a reasonable time 741
for the public hearing of the appeal, give at least ten days' 742
notice in writing to the parties in interest, give notice of 743
such public hearing by one publication in one or more newspapers 744
of general circulation in the county at least ten days before 745
the date of such hearing, and decide the appeal within a 746
reasonable time after it is submitted. Upon the hearing, any 747
person may appear in person or by attorney. 748

The board of township trustees may require a person making 749
an appeal to pay a fee to defray the cost of advertising, 750
mailing, and other expenses. 751

Sec. 1509.07. (A) (1) (a) Except as provided in division (A) 752
(1) (b) or (A) (2) of this section, an owner of any well, except 753
an exempt Mississippian well or an exempt domestic well, shall 754
obtain liability insurance coverage from a company authorized or 755
approved to do business in this state in an amount of not less 756

than one million dollars bodily injury coverage and property 757
damage coverage to pay damages for injury to persons or damage 758
to property caused by the drilling, operation, or plugging of 759
all the owner's wells in this state. However, if any well is 760
located within an urbanized area, the owner shall obtain 761
liability insurance coverage in an amount of not less than three 762
million dollars for bodily injury coverage and property damage 763
coverage to pay damages for injury to persons or damage to 764
property caused by the drilling, operation, or plugging of all 765
of the owner's wells in this state. 766

(b) A board of county commissioners of a county that is an 767
owner of a well or a board of township trustees of a township 768
that is an owner of a well may elect to satisfy the liability 769
coverage requirements specified in division (A) (1) (a) of this 770
section by participating in a joint self-insurance pool in 771
accordance with the requirements established under section 772
2744.081 of the Revised Code. Nothing in division (A) (1) (b) of 773
this section shall be construed to allow an entity, other than a 774
county or township, to participate in a joint self-insurance 775
pool to satisfy the liability coverage requirements specified in 776
division (A) (1) (a) of this section. 777

(2) An owner of a horizontal well shall obtain liability 778
insurance coverage from an insurer authorized to write such 779
insurance in this state or from an insurer approved to write 780
such insurance in this state under section 3905.33 of the 781
Revised Code in an amount of not less than five million dollars 782
bodily injury coverage and property damage coverage to pay 783
damages for injury to persons or damage to property caused by 784
the production operations of all the owner's wells in this 785
state. The insurance policy shall include a reasonable level of 786
coverage available for an environmental endorsement. 787

(3) An owner shall maintain the coverage required under 788
division (A) (1) or (2) of this section until all the owner's 789
wells are plugged and abandoned or are transferred to an owner 790
who has obtained insurance as required under this section and 791
who is not under a notice of material and substantial violation 792
or under a suspension order. The owner shall provide proof of 793
liability insurance coverage to the chief of the division of oil 794
and gas resources management upon request. Upon failure of the 795
owner to provide that proof when requested, the chief may order 796
the suspension of any outstanding permits and operations of the 797
owner until the owner provides proof of the required insurance 798
coverage. 799

(B) (1) Except as otherwise provided in this section, an 800
owner of any well, before being issued a permit under section 801
1509.06 of the Revised Code or before operating or producing 802
from a well, shall execute and file with the division of oil and 803
gas resources management a surety bond conditioned on compliance 804
with the restoration requirements of section 1509.072, the 805
plugging requirements of section 1509.12, the permit provisions 806
of section 1509.13 of the Revised Code, and all rules and orders 807
of the chief relating thereto, in an amount set by rule of the 808
chief. 809

(2) The owner may deposit with the chief, instead of a 810
surety bond, cash in an amount equal to the surety bond as 811
prescribed pursuant to this section or negotiable certificates 812
of deposit or irrevocable letters of credit, issued by any bank 813
organized or transacting business in this state, having a cash 814
value equal to or greater than the amount of the surety bond as 815
prescribed pursuant to this section. Cash or certificates of 816
deposit shall be deposited upon the same terms as those upon 817
which surety bonds may be deposited. If certificates of deposit 818

are deposited with the chief instead of a surety bond, the chief 819
shall require the bank that issued any such certificate to 820
pledge securities of a cash value equal to the amount of the 821
certificate that is in excess of the amount insured by any of 822
the agencies and instrumentalities created under the "Federal 823
Deposit Insurance Act," 64 Stat. 873 (1950), 12 U.S.C. 1811, as 824
amended, and regulations adopted under it, including at least 825
the federal deposit insurance corporation. The securities shall 826
be security for the repayment of the certificate of deposit. 827

Immediately upon a deposit of cash, certificates of 828
deposit, or letters of credit with the chief, the chief shall 829
deliver them to the treasurer of state who shall hold them in 830
trust for the purposes for which they have been deposited. 831

(3) Instead of a surety bond, the chief may accept proof 832
of financial responsibility consisting of a sworn financial 833
statement showing a net financial worth within this state equal 834
to twice the amount of the bond for which it substitutes and, as 835
may be required by the chief, a list of producing properties of 836
the owner within this state or other evidence showing ability 837
and intent to comply with the law and rules concerning 838
restoration and plugging that may be required by rule of the 839
chief. The owner of an exempt Mississippian well is not required 840
to file scheduled updates of the financial documents, but shall 841
file updates of those documents if requested to do so by the 842
chief. The owner of a nonexempt Mississippian well shall file 843
updates of the financial documents in accordance with a schedule 844
established by rule of the chief. The chief, upon determining 845
that an owner for whom the chief has accepted proof of financial 846
responsibility instead of bond cannot demonstrate financial 847
responsibility, shall order that the owner execute and file a 848
bond or deposit cash, certificates of deposit, or irrevocable 849

letters of credit as required by this section for the wells 850
specified in the order within ten days of receipt of the order. 851
If the order is not complied with, all wells of the owner that 852
are specified in the order and for which no bond is filed or 853
cash, certificates of deposit, or letters of credit are 854
deposited shall be plugged. No owner shall fail or refuse to 855
plug such a well. Each day on which such a well remains 856
unplugged thereafter constitutes a separate offense. 857

(4) The surety bond provided for in this section shall be 858
executed by a surety company authorized to do business in this 859
state. 860

The chief shall not approve any bond until it is 861
personally signed and acknowledged by both principal and surety, 862
or as to either by the principal's or surety's attorney in fact, 863
with a certified copy of the power of attorney attached thereto. 864
The chief shall not approve a bond unless there is attached a 865
certificate of the superintendent of insurance that the company 866
is authorized to transact a fidelity and surety business in this 867
state. 868

All bonds shall be given in a form to be prescribed by the 869
chief and shall run to the state as obligee. 870

(5) An owner of an exempt Mississippian well or an exempt 871
domestic well, in lieu of filing a surety bond, cash in an 872
amount equal to the surety bond, certificates of deposit, 873
irrevocable letters of credit, or a sworn financial statement, 874
may file a one-time fee of fifty dollars, which shall be 875
deposited in the oil and gas well plugging fund created in 876
section 1509.071 of the Revised Code. 877

(C) An owner, operator, producer, or other person shall 878

not operate a well or produce from a well at any time if the 879
owner, operator, producer, or other person has not satisfied the 880
requirements established in this section. 881

Sec. 3375.121. (A) In any municipal corporation, not 882
located in a county library district, that has a population of 883
not less than twenty-five thousand, and within which there is 884
not located a main library of a township, municipal, school 885
district, association, or county free public library, a library 886
district may be created by a resolution adopted by the 887
legislative authority of that municipal corporation. No such 888
resolution shall be adopted after one year from June 20, 1977. 889
Upon the adoption of the resolution, any branches of an existing 890
library that are located in that municipal corporation shall 891
become the property of the municipal library district created. 892

The municipal corporation and the board of trustees of the 893
public library maintaining any existing branches in that 894
municipal corporation shall forthwith take appropriate action 895
transferring all title and interest in all real and personal 896
property located in that municipal corporation in the name of 897
the library district maintaining those branches in that 898
municipal corporation to the municipal corporation adopting the 899
appropriate resolution. Upon transfer of all title and interest 900
in that property, the branches shall become a part of, and be 901
operated by, the board of library trustees appointed by the 902
legislative authority of the municipal corporation. 903

(B) In any municipal corporation that has a population of 904
less than twenty-five thousand and that has not less than one 905
hundred thousand dollars available from a bequest for the 906
establishment of a municipal library, the legislative authority 907
of that municipal corporation may adopt, within one year after 908

June 20, 1977, a resolution creating a library district. Upon 909
the establishment of any such library district, the board of 910
trustees of any library operating a branch library in that 911
municipal corporation shall not be required to transfer any 912
property to the newly established library. 913

(C) The board of library trustees of any library district 914
created under this section shall be composed of seven members. 915
Those trustees shall be appointed by the legislative authority 916
of the municipal corporation, to serve without compensation, for 917
a term of four years, but the initial term of the seventh 918
trustee may be for the number of years set by the legislative 919
authority, not to exceed four years. Vacancies shall be filled 920
by like appointment for the unexpired term. This section does 921
not affect the term of any trustee appointed prior to January 1, 922
2013. A library district created under this section shall be 923
governed in accordance with and exercise the authority provided 924
for in sections 3375.32 to 3375.41 of the Revised Code. 925

Notwithstanding any contrary provision of section 3.24 of 926
the Revised Code, the ~~president~~chairperson of a board of 927
township trustees may administer the oath of office to a person 928
or persons representing the township on the board of library 929
trustees of any library district created under this section, 930
even if the geographical limits of the library district do not 931
fall within the geographical limits of the township. 932

(D) Any library district created under this section is 933
eligible to participate in the proceeds of the county public 934
library fund in accordance with section 5705.28 of the Revised 935
Code. 936

(E) A municipal corporation may establish and operate a 937
free public library regardless of whether the municipal 938

corporation is located in a county library district or school library district, if all of the following conditions are met:

(1) The facility in which the library is principally located is transferred to the municipal corporation from the county library district or school library district in which it is located prior to January 1, 1996.

(2) The population of the municipal corporation is less than five hundred when the library is transferred from the county library district or school library district to the municipal corporation.

(3) The municipal corporation does not establish a municipal library district under this section.

(4) The library does not receive any proceeds from the county public library fund under section 5747.48 of the Revised Code.

Sec. 3501.021. Notwithstanding any provision of the Revised Code to the contrary, a political subdivision or other entity that certifies a question or issue to a board of elections for placement on the ballot ~~shall~~ may make that certification in electronic or paper form. ~~A board of elections shall not accept such a certification in electronic form.~~

Sec. 3709.03. (A) There is hereby created in each general health district a district advisory council. A council shall consist of the president of the board of county commissioners, the chief executive of each municipal corporation not constituting a city health district, and the ~~president~~ chairperson of the board of township trustees of each township. The board of county commissioners, the legislative body of a municipal corporation, and the board of township trustees of a

township may select an alternate from among themselves to serve 968
if the president, the chief executive, or the ~~president of the~~ 969
~~board of township trustees~~ chairperson is unable to attend any 970
meeting of the district advisory council. When attending a 971
meeting on behalf of a council member, the alternate may vote on 972
any matter on which the member is authorized to vote. 973

The council shall organize by selecting a chair and 974
secretary from among its members. The council shall adopt bylaws 975
governing its meetings, the transaction of business, and voting 976
procedures. 977

The council shall meet annually in March at a place 978
determined by the chair and the health commissioner for the 979
purpose of electing the chair and the secretary, making 980
necessary appointments to the board of health, receiving and 981
considering the annual or special reports from the board of 982
health, and making recommendations to the board of health or to 983
the department of health in regard to matters for the betterment 984
of health and sanitation within the district or for needed 985
legislation. The secretary of the council shall notify the 986
district health commissioner and the director of health of the 987
proceedings of such meeting. 988

Special meetings of the council shall be held on the order 989
of any of the following: 990

(1) The director of health; 991

(2) The board of health; 992

(3) The lesser of five or a majority of district advisory 993
council members. 994

The district health commissioner shall attend all meetings 995
of the council. 996

(B) The district advisory council shall appoint five 997
members of the board of health, unless the board of health has 998
established a health district licensing council under section 999
3709.41 of the Revised Code, in which case, the district 1000
advisory council shall appoint four members of the board of 1001
health, and the health district licensing council shall appoint 1002
one member of the board of health. At least one member of the 1003
board of health shall be a physician. Appointments shall be made 1004
with due regard to equal representation of all parts of the 1005
district. 1006

(C) If at an annual or special meeting at which a member 1007
of the board of health is to be appointed fewer than a majority 1008
of the members of the district council are present, the council, 1009
by the majority vote of council members present, may organize an 1010
executive committee to make the appointment. An executive 1011
committee shall consist of five council members, including the 1012
president of the board of county commissioners, the council 1013
chair, the council secretary, and two additional council members 1014
selected by majority affirmative vote of the council members 1015
present at the meeting. The additional members selected shall 1016
include one representative of municipal corporations in the 1017
district that are not city health districts and one 1018
representative of townships in the district. If an individual is 1019
eligible for more than one position on the executive committee 1020
due to holding a particular office, the individual shall fill 1021
one position on the committee and the other position shall be 1022
filled by a member selected by a majority affirmative vote of 1023
the council members present at the meeting. A council member's 1024
alternate for annual meetings may serve as the member's 1025
alternate at meetings of the executive committee. 1026

Not later than thirty days after an executive committee is 1027

organized, the committee shall meet and the council chair shall 1028
present to the committee the matter of appointing a member of 1029
the board of health. The committee shall appoint the board 1030
member by majority affirmative vote. In the case of a combined 1031
health district, the executive committee shall appoint only 1032
members of the board of health that are to be appointed by the 1033
district advisory council, unless the contract for 1034
administration of health affairs in the combined district 1035
provides otherwise. If a majority affirmative vote is not 1036
reached within thirty days after the executive committee is 1037
organized, the director of health shall appoint the member of 1038
the board of health under the authority conferred by section 1039
3709.03 of the Revised Code. 1040

If the council fails to meet or appoint a member of the 1041
board of health as required by this section or section 3709.02 1042
of the Revised Code, the director of health may appoint the 1043
member. 1044

Sec. 5541.04. (A) The board of county commissioners of any 1045
county, on its own motion or on petition by a person owning a 1046
lot in the unincorporated area of said county praying that the 1047
name of a county or township road in the immediate vicinity of 1048
such lot be changed, upon hearing, and upon being satisfied that 1049
there is good cause for such a change of name, that it will not 1050
be detrimental to the general interest, and that it should be 1051
made, may, by resolution declare the change of the name of such 1052
road. The board may include in one resolution the change of name 1053
of more than one road. 1054

A copy of such resolution shall be certified to the county 1055
engineer, the county recorder, and the county auditor, who shall 1056
all change their records accordingly, but still retain in some 1057

manner the old name of the road. 1058

(B) If, within sixty days after a petition is filed with a 1059
board of county commissioners to change the name of a township 1060
road, the board does not adopt a resolution either declaring the 1061
name of the road changed as requested in the petition or 1062
declaring that the name of the township road shall remain the 1063
same, the name of the township road is changed, as requested in 1064
the petition. 1065

The board of county commissioners shall submit notice that 1066
the name of the township road has changed pursuant to this 1067
division to the county engineer, the county recorder, and the 1068
county auditor, who shall all change their records accordingly, 1069
but still retain in some manner the old name of the road. 1070

Sec. 5553.04. ~~When~~ (A) Subject to division (B) of this 1071
section, when the board of county commissioners is of the 1072
opinion that it will be for the public convenience or welfare to 1073
locate, establish, alter, widen, straighten, vacate, or change 1074
the direction of a public road, it shall so declare by 1075
resolution, which resolution shall set forth the general route 1076
and termini of the road, or part of the road, to be located, 1077
established, or vacated, or the general manner in which the road 1078
is to be altered, widened, or straightened, or the direction of 1079
the road is to be changed. 1080

~~When~~ Subject to division (B) of this section, when a 1081
petition, signed by at least twelve freeholders of the county 1082
residing in the vicinity of the proposed improvement, or signed 1083
by the owner of the right to mine coal lying under or adjacent 1084
to the proposed improvement, is presented to the board 1085
requesting the board to locate, establish, alter, widen, 1086
straighten, vacate, or change the direction of a public road, 1087

the board shall view the location of the proposed improvement, 1088
and, if it is of the opinion that it will be for the public 1089
convenience or welfare to make the improvement, it may proceed 1090
to make the improvement as provided in sections 5553.04 to 1091
5553.16 of the Revised Code. The petition shall set forth the 1092
general route and termini of the road, or part of the road, to 1093
be located, established, or vacated, or the general manner in 1094
which the road is to be altered, widened, or straightened, or 1095
the direction of the road is to be changed. When the board 1096
declares by resolution its intention to proceed with the 1097
improvement, it also may provide in the resolution for the 1098
establishment of an appropriate detour route or for the 1099
temporary closing of the road to be improved. When the petition 1100
presented to the board for a proposed improvement as provided in 1101
this section is a petition signed by the owner of the right to 1102
mine coal lying under or adjacent to the proposed improvement, 1103
that petitioner shall pay the costs and expenses incurred by the 1104
board in connection with the proceedings initiated by the 1105
petition, and the costs and expenses of making the improvement 1106
including compensation and damages, and including the cost of 1107
relocation of any conduits, cables, wires, towers, poles, or 1108
other equipment or appliances of any public utility or electric 1109
cooperative as defined in section 4928.01 of the Revised Code, 1110
located on, over, or under the portion of the road affected by 1111
the improvement, and, on demand by the board, shall give bond to 1112
the satisfaction of the board in the amount the board determines 1113
to secure the payment of all of those costs and expenses. 1114

(B) A board of county commissioners shall not adopt a 1115
resolution to vacate a public road that is a township road under 1116
division (A) of this section unless the applicable board of 1117
township trustees has adopted a resolution approving the 1118

vacation. 1119

Sec. 5705.121. A municipal corporation may establish in 1120
the manner provided by law a sanitary police pension fund, an 1121
urban redevelopment tax increment equivalent fund, or a cemetery 1122
fund. A- 1123

A township may establish by law a cemetery fund. 1124

A subdivision that levies a tax for the purpose described 1125
in division (ZZ) or (AAA) of section 5705.19 of the Revised Code 1126
shall establish a general capital and infrastructure fund to 1127
which the proceeds from that levy shall be credited. By 1128
resolution or ordinance, the taxing authority may establish 1129
accounts within that fund for any of the several particular 1130
purposes for which such money may lawfully be spent, may 1131
eliminate such accounts when no longer necessary or desirable, 1132
and may transfer money between such accounts. Money in the fund 1133
may not be used to pay the compensation of officers or employees 1134
of the subdivision. 1135

Sec. 5705.19. This section does not apply to school 1136
districts, county school financing districts, or lake facilities 1137
authorities. 1138

The taxing authority of any subdivision at any time and in 1139
any year, by vote of two-thirds of all the members of the taxing 1140
authority, may declare by resolution and certify the resolution 1141
to the board of elections not less than ninety days before the 1142
election upon which it will be voted that the amount of taxes 1143
that may be raised within the ten-mill limitation will be 1144
insufficient to provide for the necessary requirements of the 1145
subdivision and that it is necessary to levy a tax in excess of 1146
that limitation for any of the following purposes: 1147

- (A) For current expenses of the subdivision, except that 1148
the total levy for current expenses of a detention facility 1149
district or district organized under section 2151.65 of the 1150
Revised Code shall not exceed two mills and that the total levy 1151
for current expenses of a combined district organized under 1152
sections 2151.65 and 2152.41 of the Revised Code shall not 1153
exceed four mills; 1154
- (B) For the payment of debt charges on certain described 1155
bonds, notes, or certificates of indebtedness of the subdivision 1156
issued subsequent to January 1, 1925; 1157
- (C) For the debt charges on all bonds, notes, and 1158
certificates of indebtedness issued and authorized to be issued 1159
prior to January 1, 1925; 1160
- (D) For a public library of, or supported by, the 1161
subdivision under whatever law organized or authorized to be 1162
supported; 1163
- (E) For a municipal university, not to exceed two mills 1164
over the limitation of one mill prescribed in section 3349.13 of 1165
the Revised Code; 1166
- (F) For the construction or acquisition of any specific 1167
permanent improvement or class of improvements that the taxing 1168
authority of the subdivision may include in a single bond issue; 1169
- (G) For the general construction, reconstruction, 1170
resurfacing, and repair of streets, roads, and bridges in 1171
municipal corporations, counties, or townships; 1172
- (H) For parks and recreational purposes; 1173
- (I) For providing and maintaining fire apparatus, 1174
mechanical resuscitators, underwater rescue and recovery 1175

equipment, or other fire equipment and appliances, buildings and 1176
sites therefor, or sources of water supply and materials 1177
therefor, for the establishment and maintenance of lines of 1178
fire-alarm communications, for the payment of firefighting 1179
companies or permanent, part-time, or volunteer firefighting, 1180
emergency medical service, administrative, or communications 1181
personnel to operate the same, including the payment of any 1182
employer contributions required for such personnel under section 1183
145.48 or 742.34 of the Revised Code, for the purchase of 1184
ambulance equipment, for the provision of ambulance, paramedic, 1185
or other emergency medical services operated by a fire 1186
department or firefighting company, or for the payment of other 1187
related costs; 1188

(J) For providing and maintaining motor vehicles, 1189
communications, other equipment, buildings, and sites for such 1190
buildings used directly in the operation of a police department, 1191
for the payment of salaries of permanent or part-time police, 1192
communications, or administrative personnel to operate the same, 1193
including the payment of any employer contributions required for 1194
such personnel under section 145.48 or 742.33 of the Revised 1195
Code, for the payment of the costs incurred by townships as a 1196
result of contracts made with other political subdivisions in 1197
order to obtain police protection, for the provision of 1198
ambulance or emergency medical services operated by a police 1199
department, or for the payment of other related costs; 1200

(K) For the maintenance and operation of a county home or 1201
detention facility; 1202

(L) For community developmental disabilities programs and 1203
services pursuant to Chapter 5126. of the Revised Code, except 1204
that such levies shall be subject to the procedures and 1205

requirements of section 5705.222 of the Revised Code;	1206
(M) For regional planning;	1207
(N) For a county's share of the cost of maintaining and	1208
operating schools, district detention facilities, forestry	1209
camps, or other facilities, or any combination thereof,	1210
established under section 2151.65 or 2152.41 of the Revised Code	1211
or both of those sections;	1212
(O) For providing for flood defense, providing and	1213
maintaining a flood wall or pumps, and other purposes to prevent	1214
floods;	1215
(P) For maintaining and operating sewage disposal plants	1216
and facilities;	1217
(Q) For the purpose of purchasing, acquiring,	1218
constructing, enlarging, improving, equipping, repairing,	1219
maintaining, or operating, or any combination of the foregoing,	1220
a county transit system pursuant to sections 306.01 to 306.13 of	1221
the Revised Code, or of making any payment to a board of county	1222
commissioners operating a transit system or a county transit	1223
board pursuant to section 306.06 of the Revised Code;	1224
(R) For the subdivision's share of the cost of acquiring	1225
or constructing any schools, forestry camps, detention	1226
facilities, or other facilities, or any combination thereof,	1227
under section 2151.65 or 2152.41 of the Revised Code or both of	1228
those sections;	1229
(S) For the prevention, control, and abatement of air	1230
pollution;	1231
(T) For maintaining and operating cemeteries;	1232
(U) For providing ambulance service, emergency medical	1233

service, or both;	1234
(V) For providing for the collection and disposal of	1235
garbage or refuse, including yard waste;	1236
(W) For the payment of the police officer employers'	1237
contribution or the firefighter employers' contribution required	1238
under sections 742.33 and 742.34 of the Revised Code;	1239
(X) For the construction and maintenance of a drainage	1240
improvement pursuant to section 6131.52 of the Revised Code;	1241
(Y) For providing or maintaining senior citizens services	1242
or facilities as authorized by section 307.694, 307.85, 505.70,	1243
or 505.706 or division (EE) of section 717.01 of the Revised	1244
Code;	1245
(Z) For the provision and maintenance of zoological park	1246
services and facilities as authorized under section 307.76 of	1247
the Revised Code;	1248
(AA) For the maintenance and operation of a free public	1249
museum of art, science, or history;	1250
(BB) For the establishment and operation of a 9-1-1	1251
system, as defined in section 128.01 of the Revised Code;	1252
(CC) For the purpose of acquiring, rehabilitating, or	1253
developing rail property or rail service. As used in this	1254
division, "rail property" and "rail service" have the same	1255
meanings as in section 4981.01 of the Revised Code. This	1256
division applies only to a county, township, or municipal	1257
corporation.	1258
(DD) For the purpose of acquiring property for,	1259
constructing, operating, and maintaining community centers as	1260
provided for in section 755.16 of the Revised Code;	1261

(EE) For the creation and operation of an office or joint 1262
office of economic development, for any economic development 1263
purpose of the office, and to otherwise provide for the 1264
establishment and operation of a program of economic development 1265
pursuant to sections 307.07 and 307.64 of the Revised Code, or 1266
to the extent that the expenses of a county land reutilization 1267
corporation organized under Chapter 1724. of the Revised Code 1268
are found by the board of county commissioners to constitute the 1269
promotion of economic development, for the payment of such 1270
operations and expenses; 1271

(FF) For the purpose of acquiring, establishing, 1272
constructing, improving, equipping, maintaining, or operating, 1273
or any combination of the foregoing, a township airport, landing 1274
field, or other air navigation facility pursuant to section 1275
505.15 of the Revised Code; 1276

(GG) For the payment of costs incurred by a township as a 1277
result of a contract made with a county pursuant to section 1278
505.263 of the Revised Code in order to pay all or any part of 1279
the cost of constructing, maintaining, repairing, or operating a 1280
water supply improvement; 1281

(HH) For a board of township trustees to acquire, other 1282
than by appropriation, an ownership interest in land, water, or 1283
wetlands, or to restore or maintain land, water, or wetlands in 1284
which the board has an ownership interest, not for purposes of 1285
recreation, but for the purposes of protecting and preserving 1286
the natural, scenic, open, or wooded condition of the land, 1287
water, or wetlands against modification or encroachment 1288
resulting from occupation, development, or other use, which may 1289
be styled as protecting or preserving "greenspace" in the 1290
resolution, notice of election, or ballot form. Except as 1291

otherwise provided in this division, land is not acquired for 1292
purposes of recreation, even if the land is used for 1293
recreational purposes, so long as no building, structure, or 1294
fixture used for recreational purposes is permanently attached 1295
or affixed to the land. Except as otherwise provided in this 1296
division, land that previously has been acquired in a township 1297
for these greenspace purposes may subsequently be used for 1298
recreational purposes if the board of township trustees adopts a 1299
resolution approving that use and no building, structure, or 1300
fixture used for recreational purposes is permanently attached 1301
or affixed to the land. The authorization to use greenspace land 1302
for recreational use does not apply to land located in a 1303
township that had a population, at the time it passed its first 1304
greenspace levy, of more than thirty-eight thousand within a 1305
county that had a population, at that time, of at least eight 1306
hundred sixty thousand. 1307

(II) For the support by a county of a crime victim 1308
assistance program that is provided and maintained by a county 1309
agency or a private, nonprofit corporation or association under 1310
section 307.62 of the Revised Code; 1311

(JJ) For any or all of the purposes set forth in divisions 1312
(I) and (J) of this section. This division applies only to a 1313
township. 1314

(KK) For a countywide public safety communications system 1315
under section 307.63 of the Revised Code. This division applies 1316
only to counties. 1317

(LL) For the support by a county of criminal justice 1318
services under section 307.45 of the Revised Code; 1319

(MM) For the purpose of maintaining and operating a jail 1320

or other detention facility as defined in section 2921.01 of the Revised Code; 1321
1322

(NN) For purchasing, maintaining, or improving, or any combination of the foregoing, real estate on which to hold, and the operating expenses of, agricultural fairs operated by a county agricultural society or independent agricultural society under Chapter 1711. of the Revised Code. This division applies only to a county. 1323
1324
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(OO) For constructing, rehabilitating, repairing, or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interests in land necessary for the foregoing improvements; 1329
1330
1331
1332

(PP) For both of the purposes set forth in divisions (G) and (OO) of this section. 1333
1334

(QQ) For both of the purposes set forth in divisions (H) and (HH) of this section. This division applies only to a township. 1335
1336
1337

(RR) For the legislative authority of a municipal corporation, board of county commissioners of a county, or board of township trustees of a township to acquire agricultural easements, as defined in section 5301.67 of the Revised Code, and to supervise and enforce the easements. 1338
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1342

(SS) For both of the purposes set forth in divisions (BB) and (KK) of this section. This division applies only to a county. 1343
1344
1345

(TT) For the maintenance and operation of a facility that is organized in whole or in part to promote the sciences and natural history under section 307.761 of the Revised Code. 1346
1347
1348

(UU) For the creation and operation of a county land reutilization corporation and for any programs or activities of the corporation found by the board of directors of the corporation to be consistent with the purposes for which the corporation is organized;

(VV) For construction and maintenance of improvements and expenses of soil and water conservation district programs under Chapter 940. of the Revised Code;

(WW) For the OSU extension fund created under section 3335.35 of the Revised Code for the purposes prescribed under section 3335.36 of the Revised Code for the benefit of the citizens of a county. This division applies only to a county.

(XX) For a municipal corporation that withdraws or proposes by resolution to withdraw from a regional transit authority under section 306.55 of the Revised Code to provide transportation services for the movement of persons within, from, or to the municipal corporation;

(YY) For any combination of the purposes specified in divisions (NN), (VV), and (WW) of this section. This division applies only to a county.

(ZZ) For any combination of the following purposes: the acquisition, construction, improvement, or maintenance of buildings, equipment, and supplies for police, firefighting, or emergency medical services; the construction, reconstruction, resurfacing, or repair of streets, roads, and bridges; or for general infrastructure projects. This division applies only to a township or municipal corporation.

(AAA) For any combination of the purposes specified in divisions (G), (K), (N), (O), (P), (X), (BB), and (MM) of this

section, for the acquisition, construction or maintenance of 1378
county facilities, or for the acquisition of or improvements to 1379
land. This division applies only to a county. 1380

The resolution shall be confined to the purpose or 1381
purposes described in one division of this section, to which the 1382
revenue derived therefrom shall be applied. The existence in any 1383
other division of this section of authority to levy a tax for 1384
any part or all of the same purpose or purposes does not 1385
preclude the use of such revenues for any part of the purpose or 1386
purposes of the division under which the resolution is adopted. 1387

The resolution shall specify the amount of the increase in 1388
rate that it is necessary to levy, the purpose of that increase 1389
in rate, and the number of years during which the increase in 1390
rate shall be in effect, which may or may not include a levy 1391
upon the duplicate of the current year. The number of years may 1392
be any number not exceeding five, except as follows: 1393

(1) When the additional rate is for the payment of debt 1394
charges, the increased rate shall be for the life of the 1395
indebtedness. 1396

(2) When the additional rate is for any of the following, 1397
the increased rate shall be for a continuing period of time: 1398

(a) For the current expenses for a detention facility 1399
district, a district organized under section 2151.65 of the 1400
Revised Code, or a combined district organized under sections 1401
2151.65 and 2152.41 of the Revised Code; 1402

(b) For providing a county's share of the cost of 1403
maintaining and operating schools, district detention 1404
facilities, forestry camps, or other facilities, or any 1405
combination thereof, established under section 2151.65 or 1406

2152.41 of the Revised Code or under both of those sections.	1407
(3) When the additional rate is for either of the	1408
following, the increased rate may be for a continuing period of	1409
time:	1410
(a) For the purposes set forth in division (I), (J), (U),	1411
or (KK) of this section;	1412
(b) For the maintenance and operation of a joint	1413
recreation district.	1414
(4) When the increase is for the purpose or purposes set	1415
forth in division (D), (G), (H), (T), (Z), (CC), or (PP) of this	1416
section, the tax levy may be for any specified number of years	1417
or for a continuing period of time, as set forth in the	1418
resolution.	1419
<u>(5) When the increase is for the purpose set forth in</u>	1420
<u>division (ZZ) or (AAA) of this section, the tax levy may be for</u>	1421
<u>any number of years not exceeding ten.</u>	1422
A levy for one of the purposes set forth in division (G),	1423
(I), (J), or (U) of this section may be reduced pursuant to	1424
section 5705.261 or 5705.31 of the Revised Code. A levy for one	1425
of the purposes set forth in division (G), (I), (J), or (U) of	1426
this section may also be terminated or permanently reduced by	1427
the taxing authority if it adopts a resolution stating that the	1428
continuance of the levy is unnecessary and the levy shall be	1429
terminated or that the millage is excessive and the levy shall	1430
be decreased by a designated amount.	1431
A resolution of a detention facility district, a district	1432
organized under section 2151.65 of the Revised Code, or a	1433
combined district organized under both sections 2151.65 and	1434
2152.41 of the Revised Code may include both current expenses	1435

and other purposes, provided that the resolution shall apportion 1436
the annual rate of levy between the current expenses and the 1437
other purpose or purposes. The apportionment need not be the 1438
same for each year of the levy, but the respective portions of 1439
the rate actually levied each year for the current expenses and 1440
the other purpose or purposes shall be limited by the 1441
apportionment. 1442

Whenever a board of county commissioners, acting either as 1443
the taxing authority of its county or as the taxing authority of 1444
a sewer district or subdistrict created under Chapter 6117. of 1445
the Revised Code, by resolution declares it necessary to levy a 1446
tax in excess of the ten-mill limitation for the purpose of 1447
constructing, improving, or extending sewage disposal plants or 1448
sewage systems, the tax may be in effect for any number of years 1449
not exceeding twenty, and the proceeds of the tax, 1450
notwithstanding the general provisions of this section, may be 1451
used to pay debt charges on any obligations issued and 1452
outstanding on behalf of the subdivision for the purposes 1453
enumerated in this paragraph, provided that any such obligations 1454
have been specifically described in the resolution. 1455

A resolution adopted by the legislative authority of a 1456
municipal corporation that is for the purpose in division (XX) 1457
of this section may be combined with the purpose provided in 1458
section 306.55 of the Revised Code, by vote of two-thirds of all 1459
members of the legislative authority. The legislative authority 1460
may certify the resolution to the board of elections as a 1461
combined question. The question appearing on the ballot shall be 1462
as provided in section 5705.252 of the Revised Code. 1463

A levy for the purpose set forth in division (BB) of this 1464
section may be imposed in all or a portion of the territory of a 1465

subdivision. If the 9-1-1 system to be established and operated 1466
with levy funds excludes territory located within the 1467
subdivision, the resolution adopted under this section, or a 1468
resolution proposing to renew such a levy that was imposed in 1469
all of the territory of the subdivision, may describe the area 1470
served or to be served by the system and specify that the 1471
proposed tax would be imposed only in the areas receiving or to 1472
receive the service. Upon passage of such a resolution, the 1473
board of elections shall submit the question of the tax levy 1474
only to those electors residing in the area or areas in which 1475
the tax would be imposed. If the 9-1-1 system would serve the 1476
entire subdivision, the resolution shall not exclude territory 1477
from the tax levy. 1478

The resolution shall go into immediate effect upon its 1479
passage, and no publication of the resolution is necessary other 1480
than that provided for in the notice of election 1481

When the electors of a subdivision or, in the case of a 1482
qualifying library levy for the support of a library association 1483
or private corporation, the electors of the association library 1484
district or, in the case of a 9-1-1 system levy serving only a 1485
portion of the territory of a subdivision, the electors of the 1486
portion of the subdivision in which the levy would be imposed 1487
have approved a tax levy under this section, the taxing 1488
authority of the subdivision may anticipate a fraction of the 1489
proceeds of the levy and issue anticipation notes in accordance 1490
with section 5705.191 or 5705.193 of the Revised Code. 1491

Sec. 5709.73. (A) As used in this section and section 1492
5709.74 of the Revised Code: 1493

(1) "Business day" means a day of the week excluding 1494
Saturday, Sunday, and a legal holiday as defined in section 1.14 1495

of the Revised Code. 1496

(2) "Further improvements" or "improvements" means the 1497
increase in the assessed value of real property that would first 1498
appear on the tax list and duplicate of real and public utility 1499
property after the effective date of a resolution adopted under 1500
this section were it not for the exemption granted by that 1501
resolution. For purposes of division (B) of this section, 1502
"improvements" do not include any property used or to be used 1503
for residential purposes. For this purpose, "property that is 1504
used or to be used for residential purposes" means property 1505
that, as improved, is used or to be used for purposes that would 1506
cause the tax commissioner to classify the property as 1507
residential property in accordance with rules adopted by the 1508
commissioner under section 5713.041 of the Revised Code. 1509

(3) "Housing renovation" means a project carried out for 1510
residential purposes. 1511

(4) "Incentive district" has the same meaning as in 1512
section 5709.40 of the Revised Code, except that a blighted area 1513
is in the unincorporated area of a township. 1514

(5) "Overlay" has the same meaning as in section 5709.40 1515
of the Revised Code, except that the overlay is delineated by 1516
the board of township trustees. 1517

(6) "Project" and "public infrastructure improvement" have 1518
the same meanings as in section 5709.40 of the Revised Code. 1519

(B) A board of township trustees may, by unanimous vote, 1520
adopt a resolution that declares to be a public purpose any 1521
public infrastructure improvements made that are necessary for 1522
the development of certain parcels of land located in the 1523
unincorporated area of the township. Except with the approval 1524

under division (D) of this section of the board of education of 1525
each city, local, or exempted village school district within 1526
which the improvements are located, the resolution may exempt 1527
from real property taxation not more than seventy-five per cent 1528
of further improvements to a parcel of land that directly 1529
benefits from the public infrastructure improvements, for a 1530
period of not more than ten years. The resolution shall specify 1531
the percentage of the further improvements to be exempted and 1532
the life of the exemption. 1533

(C) (1) A board of township trustees may adopt, by 1534
unanimous vote, a resolution creating an incentive district and 1535
declaring improvements to parcels within the district to be a 1536
public purpose and, except as provided in division (C) (2) of 1537
this section, exempt from taxation as provided in this section, 1538
but no board of township trustees of a township that has a 1539
population that exceeds twenty-five thousand, as shown by the 1540
most recent federal decennial census, shall adopt a resolution 1541
that creates an incentive district if the sum of the taxable 1542
value of real property in the proposed district for the 1543
preceding tax year and the taxable value of all real property in 1544
the township that would have been taxable in the preceding year 1545
were it not for the fact that the property was in an existing 1546
incentive district and therefore exempt from taxation exceeds 1547
twenty-five per cent of the taxable value of real property in 1548
the township for the preceding tax year. The district shall be 1549
located within the unincorporated area of the township and shall 1550
not include any territory that is included within a district 1551
created under division (B) of section 5709.78 of the Revised 1552
Code. The resolution shall delineate the boundary of the 1553
proposed district and specifically identify each parcel within 1554
the district. A proposed district may not include any parcel 1555

that is or has been exempted from taxation under division (B) of 1556
this section or that is or has been within another district 1557
created under this division. A resolution may create more than 1558
one such district, and more than one resolution may be adopted 1559
under division (C) (1) of this section. 1560

(2) (a) Not later than thirty days prior to adopting a 1561
resolution under division (C) (1) of this section, if the 1562
township intends to apply for exemptions from taxation under 1563
section 5709.911 of the Revised Code on behalf of owners of real 1564
property located within the proposed incentive district, the 1565
board shall conduct a public hearing on the proposed resolution. 1566
Not later than thirty days prior to the public hearing, the 1567
board shall give notice of the public hearing and the proposed 1568
resolution by first class mail to every real property owner 1569
whose property is located within the boundaries of the proposed 1570
incentive district that is the subject of the proposed 1571
resolution. The notice shall include a map of the proposed 1572
incentive district on which the board of township trustees shall 1573
have delineated an overlay. The notice shall inform the property 1574
owner of the owner's right to exclude the owner's property from 1575
the incentive district if both of the following conditions are 1576
met: 1577

(i) The owner's entire parcel of property will not be 1578
located within the overlay. 1579

(ii) The owner has submitted a statement to the board of 1580
county commissioners of the county in which the parcel is 1581
located indicating the owner's intent to seek a tax exemption 1582
for improvements to the owner's parcel under division (A) or (B) 1583
of section 5709.78 of the Revised Code within the next five 1584
years. 1585

When both of the preceding conditions are met, the owner 1586
may exclude the owner's property from the incentive district by 1587
submitting a written response in accordance with division (C) (2) 1588
(b) of this section. The notice also shall include information 1589
detailing the required contents of the response, the address to 1590
which the response may be mailed, and the deadline for 1591
submitting the response. 1592

(b) Any owner of real property located within the 1593
boundaries of an incentive district proposed under division (C) 1594
(1) of this section who meets the conditions specified in 1595
divisions (C) (2) (a) (i) and (ii) of this section may exclude the 1596
property from the proposed incentive district by submitting a 1597
written response to the board not later than forty-five days 1598
after the postmark date on the notice required under division 1599
(C) (2) (a) of this section. The response shall include a copy of 1600
the statement submitted under division (C) (2) (a) (ii) of this 1601
section. The response shall be sent by first class mail or 1602
delivered in person at a public hearing held by the board under 1603
division (C) (2) (a) of this section. The response shall conform 1604
to any content requirements that may be established by the board 1605
and included in the notice provided under division (C) (2) (a) of 1606
this section. In the response, property owners may identify a 1607
parcel by street address, by the manner in which it is 1608
identified in the resolution, or by other means allowing the 1609
identity of the parcel to be ascertained. 1610

(c) Before adopting a resolution under division (C) (1) of 1611
this section, the board shall amend the resolution to exclude 1612
any parcel for which a written response has been submitted under 1613
division (C) (2) (b) of this section. A township shall not apply 1614
for exemptions from taxation under section 5709.911 of the 1615
Revised Code for any such parcel, and service payments may not 1616

be required from the owner of the parcel. Improvements to a 1617
parcel excluded from an incentive district under this division 1618
may be exempted from taxation under division (B) of this section 1619
pursuant to a resolution adopted under that division or under 1620
any other section of the Revised Code under which the parcel 1621
qualifies. 1622

(3) (a) A resolution adopted under division (C) (1) of this 1623
section shall specify the life of the incentive district and the 1624
percentage of the improvements to be exempted, shall designate 1625
the public infrastructure improvements made, to be made, or in 1626
the process of being made, that benefit or serve, or, once made, 1627
will benefit or serve parcels in the district. The resolution 1628
also shall identify one or more specific projects being, or to 1629
be, undertaken in the district that place additional demand on 1630
the public infrastructure improvements designated in the 1631
resolution. The project identified may, but need not be, the 1632
project under division (C) (3) (b) of this section that places 1633
real property in use for commercial or industrial purposes. 1634

A resolution adopted under division (C) (1) of this section 1635
on or after March 30, 2006, shall not designate police or fire 1636
equipment as public infrastructure improvements, and, except as 1637
provided in division (F) of this section, no service payment 1638
provided for in section 5709.74 of the Revised Code and received 1639
by the township under the resolution shall be used for police or 1640
fire equipment. 1641

(b) A resolution adopted under division (C) (1) of this 1642
section may authorize the use of service payments provided for 1643
in section 5709.74 of the Revised Code for the purpose of 1644
housing renovations within the incentive district, provided that 1645
the resolution also designates public infrastructure 1646

improvements that benefit or serve the district, and that a 1647
project within the district places real property in use for 1648
commercial or industrial purposes. Service payments may be used 1649
to finance or support loans, deferred loans, and grants to 1650
persons for the purpose of housing renovations within the 1651
district. The resolution shall designate the parcels within the 1652
district that are eligible for housing renovations. The 1653
resolution shall state separately the amount or the percentages 1654
of the expected aggregate service payments that are designated 1655
for each public infrastructure improvement and for the purpose 1656
of housing renovations. 1657

(4) Except with the approval of the board of education of 1658
each city, local, or exempted village school district within the 1659
territory of which the incentive district is or will be located, 1660
and subject to division (E) of this section, the life of an 1661
incentive district shall not exceed ten years, and the 1662
percentage of improvements to be exempted shall not exceed 1663
seventy-five per cent. With approval of the board of education, 1664
the life of a district may be not more than thirty years, and 1665
the percentage of improvements to be exempted may be not more 1666
than one hundred per cent. The approval of a board of education 1667
shall be obtained in the manner provided in division (D) of this 1668
section. 1669

(D) Improvements with respect to a parcel may be exempted 1670
from taxation under division (B) of this section, and 1671
improvements to parcels within an incentive district may be 1672
exempted from taxation under division (C) of this section, for 1673
up to ten years or, with the approval of the board of education 1674
of the city, local, or exempted village school district within 1675
which the parcel or district is located, for up to thirty years. 1676
The percentage of the improvements exempted from taxation may, 1677

with such approval, exceed seventy-five per cent, but shall not 1678
exceed one hundred per cent. Not later than forty-five business 1679
days prior to adopting a resolution under this section declaring 1680
improvements to be a public purpose that is subject to approval 1681
by a board of education under this division, the board of 1682
township trustees shall deliver to the board of education a 1683
notice stating its intent to adopt a resolution making that 1684
declaration. The notice regarding improvements with respect to a 1685
parcel under division (B) of this section shall identify the 1686
parcels for which improvements are to be exempted from taxation, 1687
provide an estimate of the true value in money of the 1688
improvements, specify the period for which the improvements 1689
would be exempted from taxation and the percentage of the 1690
improvements that would be exempted, and indicate the date on 1691
which the board of township trustees intends to adopt the 1692
resolution. The notice regarding improvements made under 1693
division (C) of this section to parcels within an incentive 1694
district shall delineate the boundaries of the district, 1695
specifically identify each parcel within the district, identify 1696
each anticipated improvement in the district, provide an 1697
estimate of the true value in money of each such improvement, 1698
specify the life of the district and the percentage of 1699
improvements that would be exempted, and indicate the date on 1700
which the board of township trustees intends to adopt the 1701
resolution. The board of education, by resolution adopted by a 1702
majority of the board, may approve the exemption for the period 1703
or for the exemption percentage specified in the notice; may 1704
disapprove the exemption for the number of years in excess of 1705
ten, may disapprove the exemption for the percentage of the 1706
improvements to be exempted in excess of seventy-five per cent, 1707
or both; or may approve the exemption on the condition that the 1708
board of township trustees and the board of education negotiate 1709

an agreement providing for compensation to the school district 1710
equal in value to a percentage of the amount of taxes exempted 1711
in the eleventh and subsequent years of the exemption period or, 1712
in the case of exemption percentages in excess of seventy-five 1713
per cent, compensation equal in value to a percentage of the 1714
taxes that would be payable on the portion of the improvements 1715
in excess of seventy-five per cent were that portion to be 1716
subject to taxation, or other mutually agreeable compensation. 1717

The board of education shall certify its resolution to the 1718
board of township trustees not later than fourteen days prior to 1719
the date the board of township trustees intends to adopt the 1720
resolution as indicated in the notice. If the board of education 1721
and the board of township trustees negotiate a mutually 1722
acceptable compensation agreement, the resolution may declare 1723
the improvements a public purpose for the number of years 1724
specified in the resolution or, in the case of exemption 1725
percentages in excess of seventy-five per cent, for the 1726
exemption percentage specified in the resolution. In either 1727
case, if the board of education and the board of township 1728
trustees fail to negotiate a mutually acceptable compensation 1729
agreement, the resolution may declare the improvements a public 1730
purpose for not more than ten years, and shall not exempt more 1731
than seventy-five per cent of the improvements from taxation. If 1732
the board of education fails to certify a resolution to the 1733
board of township trustees within the time prescribed by this 1734
section, the board of township trustees thereupon may adopt the 1735
resolution and may declare the improvements a public purpose for 1736
up to thirty years or, in the case of exemption percentages 1737
proposed in excess of seventy-five per cent, for the exemption 1738
percentage specified in the resolution. The board of township 1739
trustees may adopt the resolution at any time after the board of 1740

education certifies its resolution approving the exemption to 1741
the board of township trustees, or, if the board of education 1742
approves the exemption on the condition that a mutually 1743
acceptable compensation agreement be negotiated, at any time 1744
after the compensation agreement is agreed to by the board of 1745
education and the board of township trustees. If a mutually 1746
acceptable compensation agreement is negotiated between the 1747
board of township trustees and the board of education, including 1748
agreements for payments in lieu of taxes under section 5709.74 1749
of the Revised Code, the board of township trustees shall 1750
compensate the joint vocational school district within which the 1751
parcel or district is located at the same rate and under the 1752
same terms received by the city, local, or exempted village 1753
school district. 1754

If a board of education has adopted a resolution waiving 1755
its right to approve exemptions from taxation under this section 1756
and the resolution remains in effect, approval of such 1757
exemptions by the board of education is not required under 1758
division (D) of this section. If a board of education has 1759
adopted a resolution allowing a board of township trustees to 1760
deliver the notice required under division (D) of this section 1761
fewer than forty-five business days prior to adoption of the 1762
resolution by the board of township trustees, the board of 1763
township trustees shall deliver the notice to the board of 1764
education not later than the number of days prior to the 1765
adoption as prescribed by the board of education in its 1766
resolution. If a board of education adopts a resolution waiving 1767
its right to approve exemptions or shortening the notification 1768
period, the board of education shall certify a copy of the 1769
resolution to the board of township trustees. If the board of 1770
education rescinds the resolution, it shall certify notice of 1771

the rescission to the board of township trustees. 1772

If the board of township trustees is not required by 1773
division (D) of this section to notify the board of education of 1774
the board of township trustees' intent to declare improvements 1775
to be a public purpose, the board of township trustees shall 1776
comply with the notice requirements imposed under section 1777
5709.83 of the Revised Code before taking formal action to adopt 1778
the resolution making that declaration, unless the board of 1779
education has adopted a resolution under that section waiving 1780
its right to receive the notice. 1781

(E) (1) If a proposed resolution under division (C) (1) of 1782
this section exempts improvements with respect to a parcel 1783
within an incentive district for more than ten years, or the 1784
percentage of the improvement exempted from taxation exceeds 1785
seventy-five per cent, not later than forty-five business days 1786
prior to adopting the resolution the board of township trustees 1787
shall deliver to the board of county commissioners of the county 1788
within which the incentive district is or will be located a 1789
notice that states its intent to adopt a resolution creating an 1790
incentive district. The notice shall include a copy of the 1791
proposed resolution, identify the parcels for which improvements 1792
are to be exempted from taxation, provide an estimate of the 1793
true value in money of the improvements, specify the period of 1794
time for which the improvements would be exempted from taxation, 1795
specify the percentage of the improvements that would be 1796
exempted from taxation, and indicate the date on which the board 1797
of township trustees intends to adopt the resolution. 1798

(2) The board of county commissioners, by resolution 1799
adopted by a majority of the board, may object to the exemption 1800
for the number of years in excess of ten, may object to the 1801

exemption for the percentage of the improvement to be exempted 1802
in excess of seventy-five per cent, or both. If the board of 1803
county commissioners objects, the board may negotiate a mutually 1804
acceptable compensation agreement with the board of township 1805
trustees. In no case shall the compensation provided to the 1806
board of county commissioners exceed the property taxes foregone 1807
due to the exemption. If the board of county commissioners 1808
objects, and the board of county commissioners and board of 1809
township trustees fail to negotiate a mutually acceptable 1810
compensation agreement, the resolution adopted under division 1811
(C) (1) of this section shall provide to the board of county 1812
commissioners compensation in the eleventh and subsequent years 1813
of the exemption period equal in value to not more than fifty 1814
per cent of the taxes that would be payable to the county or, if 1815
the board of county commissioner's objection includes an 1816
objection to an exemption percentage in excess of seventy-five 1817
per cent, compensation equal in value to not more than fifty per 1818
cent of the taxes that would be payable to the county, on the 1819
portion of the improvement in excess of seventy-five per cent, 1820
were that portion to be subject to taxation. The board of county 1821
commissioners shall certify its resolution to the board of 1822
township trustees not later than thirty days after receipt of 1823
the notice. 1824

(3) If the board of county commissioners does not object 1825
or fails to certify its resolution objecting to an exemption 1826
within thirty days after receipt of the notice, the board of 1827
township trustees may adopt its resolution, and no compensation 1828
shall be provided to the board of county commissioners. If the 1829
board of county commissioners timely certifies its resolution 1830
objecting to the trustees' resolution, the board of township 1831
trustees may adopt its resolution at any time after a mutually 1832

acceptable compensation agreement is agreed to by the board of 1833
county commissioners and the board of township trustees, or, if 1834
no compensation agreement is negotiated, at any time after the 1835
board of township trustees agrees in the proposed resolution to 1836
provide compensation to the board of county commissioners of 1837
fifty per cent of the taxes that would be payable to the county 1838
in the eleventh and subsequent years of the exemption period or 1839
on the portion of the improvement in excess of seventy-five per 1840
cent, were that portion to be subject to taxation. 1841

(F) Service payments in lieu of taxes that are 1842
attributable to any amount by which the effective tax rate of 1843
either a renewal levy with an increase or a replacement levy 1844
exceeds the effective tax rate of the levy renewed or replaced, 1845
or that are attributable to an additional levy, for a levy 1846
authorized by the voters for any of the following purposes on or 1847
after January 1, 2006, and which are provided pursuant to a 1848
resolution creating an incentive district under division (C)(1) 1849
of this section that is adopted on or after January 1, 2006, or 1850
a later date as specified in this division, shall be distributed 1851
to the appropriate taxing authority as required under division 1852
(C) of section 5709.74 of the Revised Code in an amount equal to 1853
the amount of taxes from that additional levy or from the 1854
increase in the effective tax rate of such renewal or 1855
replacement levy that would have been payable to that taxing 1856
authority from the following levies were it not for the 1857
exemption authorized under division (C) of this section: 1858

(1) A tax levied under division (L) of section 5705.19 or 1859
section 5705.191 or 5705.222 of the Revised Code for community 1860
developmental disabilities programs and services pursuant to 1861
Chapter 5126. of the Revised Code; 1862

(2) A tax levied under division (Y) of section 5705.19 of the Revised Code for providing or maintaining senior citizens services or facilities;	1863 1864 1865
(3) A tax levied under section 5705.22 of the Revised Code for county hospitals;	1866 1867
(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;	1868 1869 1870 1871
(5) A tax levied under section 5705.23 of the Revised Code for library purposes;	1872 1873
(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;	1874 1875 1876
(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;	1877 1878 1879 1880
(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;	1881 1882 1883
(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;	1884 1885 1886 1887
(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;	1888 1889
(11) A tax levied under section 5705.191 of the Revised	1890

Code for the purpose of making appropriations for public 1891
assistance; human or social services; public relief; public 1892
welfare; public health and hospitalization; and support of 1893
general hospitals; 1894

(12) A tax levied under section 3709.29 of the Revised 1895
Code for a general health district program; 1896

(13) A tax levied by a township under section 505.39, 1897
505.51, or division (I), (J), (U), or (JJ) of section 5705.19 of 1898
the Revised Code for the purpose of funding fire, police, 1899
emergency medical, or ambulance services as described in those 1900
sections. Division (F) (13) of this section applies only to 1901
incentive districts created by a resolution adopted on or after 1902
the effective date of the amendment of this section by H.B. 500 1903
of the 132nd general assembly, and only if that resolution 1904
specifies that division (F) of this section shall apply to such 1905
a tax. 1906

(G) An exemption from taxation granted under this section 1907
commences with the tax year specified in the resolution so long 1908
as the year specified in the resolution commences after the 1909
effective date of the resolution. If the resolution specifies a 1910
year commencing before the effective date of the resolution or 1911
specifies no year whatsoever, the exemption commences with the 1912
tax year in which an exempted improvement first appears on the 1913
tax list and duplicate of real and public utility property and 1914
that commences after the effective date of the resolution. In 1915
lieu of stating a specific year, the resolution may provide that 1916
the exemption commences in the tax year in which the value of an 1917
improvement exceeds a specified amount or in which the 1918
construction of one or more improvements is completed, provided 1919
that such tax year commences after the effective date of the 1920

resolution. With respect to the exemption of improvements to 1921
parcels under division (B) of this section, the resolution may 1922
allow for the exemption to commence in different tax years on a 1923
parcel-by-parcel basis, with a separate exemption term specified 1924
for each parcel. 1925

Except as otherwise provided in this division, the 1926
exemption ends on the date specified in the resolution as the 1927
date the improvement ceases to be a public purpose or the 1928
incentive district expires, or ends on the date on which the 1929
public infrastructure improvements and housing renovations are 1930
paid in full from the township public improvement tax increment 1931
equivalent fund established under section 5709.75 of the Revised 1932
Code, whichever occurs first. The exemption of an improvement 1933
with respect to a parcel or within an incentive district may end 1934
on a later date, as specified in the resolution, if the board of 1935
township trustees and the board of education of the city, local, 1936
or exempted village school district within which the parcel or 1937
district is located have entered into a compensation agreement 1938
under section 5709.82 of the Revised Code with respect to the 1939
improvement and the board of education has approved the term of 1940
the exemption under division (D) of this section, but in no case 1941
shall the improvement be exempted from taxation for more than 1942
thirty years. The board of township trustees may, by majority 1943
vote, adopt a resolution permitting the township to enter into 1944
such agreements as the board finds necessary or appropriate to 1945
provide for the construction or undertaking of public 1946
infrastructure improvements and housing renovations. Any 1947
exemption shall be claimed and allowed in the same or a similar 1948
manner as in the case of other real property exemptions. If an 1949
exemption status changes during a tax year, the procedure for 1950
the apportionment of the taxes for that year is the same as in 1951

the case of other changes in tax exemption status during the 1952
year. 1953

(H) The board of township trustees may issue the notes of 1954
the township to finance all costs pertaining to the construction 1955
or undertaking of public infrastructure improvements and housing 1956
renovations made pursuant to this section. The notes shall be 1957
signed by the board and attested by the signature of the 1958
township fiscal officer, shall bear interest not to exceed the 1959
rate provided in section 9.95 of the Revised Code, and are not 1960
subject to Chapter 133. of the Revised Code. The resolution 1961
authorizing the issuance of the notes shall pledge the funds of 1962
the township public improvement tax increment equivalent fund 1963
established pursuant to section 5709.75 of the Revised Code to 1964
pay the interest on and principal of the notes. The notes, which 1965
may contain a clause permitting prepayment at the option of the 1966
board, shall be offered for sale on the open market or given to 1967
the vendor or contractor if no sale is made. 1968

(I) The township, not later than fifteen days after the 1969
adoption of a resolution under this section, shall submit to the 1970
director of development services a copy of the resolution. On or 1971
before the thirty-first day of March of each year, the township 1972
shall submit a status report to the director of development 1973
services. The report shall indicate, in the manner prescribed by 1974
the director, the progress of the project during each year that 1975
the exemption remains in effect, including a summary of the 1976
receipts from service payments in lieu of taxes; expenditures of 1977
money from the fund created under section 5709.75 of the Revised 1978
Code; a description of the public infrastructure improvements 1979
and housing renovations financed with the expenditures; and a 1980
quantitative summary of changes in private investment resulting 1981
from each project. 1982

(J) Nothing in this section shall be construed to prohibit 1983
a board of township trustees from declaring to be a public 1984
purpose improvements with respect to more than one parcel. 1985

If a parcel is located in a new community district in 1986
which the new community authority imposes a community 1987
development charge on the basis of rentals received from leases 1988
of real property as described in division (L) (2) of section 1989
349.01 of the Revised Code, the parcel may not be exempted from 1990
taxation under this section. 1991

(K) A board of township trustees that adopted a resolution 1992
under this section prior to July 21, 1994, may amend that 1993
resolution to include any additional public infrastructure 1994
improvement. A board of township trustees that seeks by the 1995
amendment to utilize money from its township public improvement 1996
tax increment equivalent fund for land acquisition in aid of 1997
industry, commerce, distribution, or research, demolition on 1998
private property, or stormwater and flood remediation projects 1999
may do so provided that the board currently is a party to a 2000
hold-harmless agreement with the board of education of the city, 2001
local, or exempted village school district within the territory 2002
of which are located the parcels that are subject to an 2003
exemption. For the purposes of this division, a "hold-harmless 2004
agreement" means an agreement under which the board of township 2005
trustees agrees to compensate the school district for one 2006
hundred per cent of the tax revenue that the school district 2007
would have received from further improvements to parcels 2008
designated in the resolution were it not for the exemption 2009
granted by the resolution. 2010

(L) Notwithstanding the limitation prescribed by division 2011
(D) of this section on the number of years that improvements to 2012

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. Before adopting an amendment authorized under this division, the board of township trustees shall obtain the approval of each board of education of the city, local, or exempted village school district within which the exempted parcels are located in the manner required under division (D) of this section, except that (1) the board of education 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 the amount of taxes the district forgoes in each year the exemption is extended pursuant to this division or any other mutually agreeable compensation and (2) if the board of education fails to certify a resolution approving the amendment to the board of township trustees within the time prescribed by division (D) of this section, the board of township trustees shall not adopt the amendment authorized under this division.

No approval under this division shall be required from a board of education that has adopted a resolution waiving its right to approve exemptions from taxation pursuant to division (D) of this section. If the board of education has adopted such a resolution, 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 2044
adopted a resolution under that section waiving its right to 2045
receive the notice. Not later than fourteen days before adopting 2046
an amendment authorized under this division, the board of 2047
township trustees shall deliver a notice identical to a notice 2048
required under section 5709.83 of the Revised Code to the board 2049
of county commissioners of each county in which the exempted 2050
parcels are located. 2051

Sec. 5709.75. (A) Any township that receives service 2052
payments in lieu of taxes under section 5709.74 of the Revised 2053
Code shall establish a township public improvement tax increment 2054
equivalent fund into which those payments shall be deposited. If 2055
the board of township trustees has adopted a resolution under 2056
division (C) of section 5709.73 of the Revised Code, the 2057
township shall establish at least one account in that fund with 2058
respect to resolutions adopted under division (B) of that 2059
section, and one account with respect to each incentive district 2060
created by a resolution adopted under division (C) of that 2061
section. If a resolution adopted under division (C) of section 2062
5709.73 of the Revised Code also authorizes the use of service 2063
payments for housing renovations within the incentive district, 2064
the township shall establish separate accounts for the service 2065
payments designated for public infrastructure improvements and 2066
for the service payments authorized for the purpose of housing 2067
renovations. 2068

(B) Except as otherwise provided in division (C) or (D) of 2069
this section, money deposited in an account of the township 2070
public improvement tax increment equivalent fund shall be used 2071
by the township to pay the costs of public infrastructure 2072
improvements designated in or the housing renovations authorized 2073
by the resolution with respect to which the account is 2074

established, including any interest on and principal of the 2075
notes; in the case of an account established with respect to a 2076
resolution adopted under division (C) of that section, money in 2077
the account shall be used to finance the public infrastructure 2078
improvements designated, or the housing renovations authorized, 2079
for each incentive district created in the resolution. Money in 2080
an account shall not be used to finance or support housing 2081
renovations that take place after the incentive district has 2082
expired. 2083

(C) (1) (a) A township may distribute money in such an 2084
account to any school district in which the exempt property is 2085
located in an amount not to exceed the amount of real property 2086
taxes that such school district would have received from the 2087
improvement if it were not exempt from taxation. The resolution 2088
establishing the fund shall set forth the percentage of such 2089
maximum amount that will be distributed to any affected school 2090
district. 2091

(b) A township also may distribute money in such an 2092
account as follows: 2093

(i) To a board of county commissioners, in the amount that 2094
is owed to the board pursuant to division (E) of section 5709.73 2095
of the Revised Code; 2096

(ii) To a county in accordance with section 5709.913 of 2097
the Revised Code. 2098

(2) Money from an account in a township public improvement 2099
tax increment equivalent fund may be distributed under division 2100
(C) (1) (b) of this section, regardless of the date a resolution 2101
was adopted under section 5709.73 of the Revised Code that 2102
prompted the establishment of the account, even if the 2103

resolution was adopted prior to March 30, 2006. 2104

(D) A board of township trustees that adopted a resolution 2105
under section 5709.73 of the Revised Code and that, with respect 2106
to property exempted under such a resolution, is party to a 2107
hold-harmless or service agreement, may appropriate and expend 2108
unencumbered money in the fund to pay current public safety 2109
expenses of the township. A township appropriating and expending 2110
money under this division shall reimburse the fund for the sum 2111
so appropriated and expended not later than the day the 2112
exemption granted under the resolution expires. For the purposes 2113
of this division, a "hold-harmless agreement" is an agreement 2114
with the board of education of a city, local, or exempted 2115
village school district under which the board of township 2116
trustees agrees to compensate the school district for one 2117
hundred per cent of the tax revenue the school district would 2118
have received from improvements to parcels designated in the 2119
resolution were it not for the exemption granted by the 2120
resolution. 2121

(E) A board of township trustees that adopted a resolution 2122
under section 5709.73 of the Revised Code prior to July 21, 2123
1994, and that, with respect to property exempted under such 2124
resolution, is a party to a hold-harmless or service agreement 2125
with a board of education of a city, local, or exempted village 2126
school district, within the territory of which such property is 2127
located, may appropriate and expend unencumbered money in the 2128
fund to pay current expenses for the continued maintenance of 2129
public improvements or public infrastructure improvements 2130
designated in that resolution, as such resolution has been 2131
amended under division (K) of section 5709.73 of the Revised 2132
Code. 2133

(F) Any unencumbered money remaining in the township 2134
public improvement tax increment equivalent fund or an account 2135
of that fund upon dissolution of the account or fund shall be 2136
transferred to the general fund of the township. 2137

Section 2. That existing sections 349.03, 505.01, 505.04, 2138
505.482, 507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 2139
519.12, 519.13, 519.15, 1509.07, 3375.121, 3501.021, 3709.03, 2140
5541.04, 5553.04, 5705.121, 5705.19, 5709.73, and 5709.75 and 2141
sections 711.25, 711.26, and 711.27 of the Revised Code are 2142
hereby repealed. 2143

Section 3. That Sections 221.20 and 361.10 of Am. Sub. 2144
H.B. 49 of the 132nd General Assembly be amended to read as 2145
follows: 2146

Sec. 221.20. OHIO CENTER FOR THE FUTURE OF FORENSIC 2147

Of the foregoing appropriation item 055321, Operating 2148
Expenses, \$600,000 in each fiscal year shall be used for the 2149
Ohio Center for the Future of Forensic Science at Bowling Green 2150
State University. The purpose of the Center shall be to foster 2151
forensic science research techniques (BCI Eminent Scholar) and 2152
to create professional training opportunities to students (BCI 2153
Scholars) in the forensic science fields. 2154

DOMESTIC VIOLENCE PROGRAM 2155

Of the foregoing appropriation item 055321, Operating 2156
Expenses, \$100,000 in each fiscal year may be used by the 2157
Attorney General for the purpose of providing funding to 2158
domestic violence programs as defined in section 109.46 of the 2159
Revised Code. 2160

ORGANIZED CRIME INVESTIGATIONS COMMISSION PILOT PROJECT 2161

Of the foregoing appropriation item 055321, Operating Expenses, \$50,000 in each fiscal year shall be used for a pilot project developing new investigatory tools for the Organized Crime Investigations Commission on behalf of task forces investigating drug trafficking and related criminal activity.

BUREAU OF CRIMINAL INVESTIGATION RECORDS SYSTEM (BCIRS)
LEASE RENTAL PAYMENTS

The foregoing appropriation item 055406, BCIRS Lease Rental Payments, shall be used for payments during the period from July 1, 2017, through June 30, 2019, pursuant to leases and agreements entered into pursuant to Section 701.40 of Am. Sub. S.B. 310 of the 131st General Assembly, with respect to financing the costs associated with the acquisition, development, installation, and implementation of the BCIRS. If it is determined that additional appropriations are necessary for this purpose, the amounts are hereby appropriated.

COUNTY SHERIFFS' PAY SUPPLEMENT

The foregoing appropriation item 055411, County Sheriffs' Pay Supplement, shall be used for the purpose of supplementing the annual compensation of county sheriffs as required by section 325.06 of the Revised Code.

At the request of the Attorney General, the Director of Budget and Management may transfer appropriation from appropriation item 055321, Operating Expenses, to appropriation item 055411, County Sheriffs' Pay Supplement. Any appropriation so transferred shall be used to supplement the annual compensation of county sheriffs as required by section 325.06 of the Revised Code.

COUNTY PROSECUTORS' PAY SUPPLEMENT

The foregoing appropriation item 055415, County Prosecutors' Pay Supplement, shall be used for the purpose of supplementing the annual compensation of certain county prosecutors as required by section 325.111 of the Revised Code.

At the request of the Attorney General, the Director of Budget and Management may transfer appropriation from appropriation item 055321, Operating Expenses, to appropriation item 055415, County Prosecutors' Pay Supplement. Any appropriation so transferred shall be used to supplement the annual compensation of county prosecutors as required by section 325.111 of the Revised Code.

BATTERED WOMEN'S SHELTER

Of the foregoing appropriation item 055501, Rape Crisis Centers, \$50,000 in each fiscal year shall be distributed directly to the Battered Women's Shelter of Summit and Medina counties for the cost of operating the commercial kitchen located at its Market Street Facility.

PIKE COUNTY CAPITAL CASE

The foregoing appropriation item 055505, Pike County Capital Case, shall be used to defray the cost of ongoing capital case litigation in Pike County.

CASH TRANSFER FROM THE CONTROLLING BOARD EMERGENCY PURPOSES/CONTINGENCIES FUND TO THE ATTORNEY GENERAL REIMBURSEMENT FUND

On July 1, 2017, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$3,500,000 cash from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Attorney General Reimbursement Fund (Fund 1060).

ATTORNEY GENERAL OPERATING	2220
Of the foregoing appropriation item 055612, Attorney	2221
General Operating, \$2,000,000 in fiscal year 2018 shall be used	2222
by the Attorney General to fund criminal laboratory case work	2223
primarily related to opioid or other criminal cases submitted to	2224
the Bureau of Criminal Investigation.	2225
Of the foregoing appropriation item 055612, Attorney	2226
General Operating, \$1,500,000 in fiscal year 2018 shall be used	2227
to support each public forensic laboratory in Ohio that is	2228
accredited in chemistry by The American Society of Crime	2229
Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB)	2230
or ANSI-ASQ National Accreditation Board (ANAB) to perform	2231
chemistry laboratory work. The Attorney General shall distribute	2232
the funds directly to such laboratories based on the	2233
recommendation of the Forensic Science Institute of Ohio,	2234
provided that no accredited laboratory shall receive less than	2235
\$100,000.	2236
DRUG ABUSE RESPONSE TEAM GRANT PROGRAM	2237
The Attorney General shall establish the Drug Abuse	2238
Response Team Grant Program for the purpose of replicating or	2239
expanding successful law enforcement programs that address the	2240
opioid epidemic similar to the Drug Abuse Response Team	2241
established by the Lucas County Sheriff's Department, and the	2242
Quick Response Teams established in Colerain Township's	2243
Department of Public Safety in Hamilton County and Summit	2244
County. Any grants awarded by this grant program may include	2245
requirements for private or nonprofit matching support.	2246
The foregoing appropriation item 055431, Drug Abuse	2247
Response Team Grants, shall be used by the Attorney General to	2248

fund grants to law enforcement or other government agencies; the 2249
primary purpose of the grants shall be to replicate or expand 2250
successful law enforcement programs that address the opioid 2251
epidemic similar to the Drug Abuse Response Team established by 2252
the Lucas County Sheriff's Department and the Quick Response 2253
Teams established in Colerain Township's Department of Public 2254
Safety in Hamilton County and Summit County. 2255

Each recipient of a grant under this program shall, within 2256
six months of the end date of the grant, submit a written report 2257
describing the outcomes that resulted from the grant to the 2258
Governor, the President of the Senate, the Speaker of the House 2259
of Representatives, the Minority Leader of the Senate, and the 2260
Minority Leader of the House of Representatives. 2261

WORKERS' COMPENSATION SECTION 2262

The Workers' Compensation Fund (Fund 1950) is entitled to 2263
receive quarterly payments from the Bureau of Workers' 2264
Compensation and the Ohio Industrial Commission to fund legal 2265
services provided to the Bureau of Workers' Compensation and the 2266
Ohio Industrial Commission during the fiscal year. 2267

In addition, the Bureau of Workers' Compensation shall 2268
transfer payments for the support of the Workers' Compensation 2269
Fraud Unit. 2270

All amounts shall be mutually agreed upon by the Attorney 2271
General, the Bureau of Workers' Compensation, and the Ohio 2272
Industrial Commission. 2273

GENERAL HOLDING ACCOUNT 2274

The foregoing appropriation item 055631, General Holding 2275
Account, shall be used to distribute moneys under the terms of 2276
relevant court orders or other settlements received in a variety 2277

of cases involving the Office of the Attorney General. If it is 2278
determined that additional amounts are necessary for this 2279
purpose, the amounts are hereby appropriated. 2280

ANTITRUST SETTLEMENTS 2281

The foregoing appropriation item 055632, Antitrust 2282
Settlements, shall be used to distribute moneys under the terms 2283
of relevant court orders or other out of court settlements in 2284
antitrust cases or antitrust matters involving the Office of the 2285
Attorney General. If it is determined that additional amounts 2286
are necessary for this purpose, the amounts are hereby 2287
appropriated. 2288

CONSUMER FRAUDS 2289

The foregoing appropriation item 055630, Consumer Frauds, 2290
shall be used for distribution of moneys from court-ordered 2291
judgments against sellers in actions brought by the Office of 2292
the Attorney General under sections 1334.08 and 4549.48 and 2293
division (B) of section 1345.07 of the Revised Code. These 2294
moneys shall be used to provide restitution to consumers 2295
victimized by the fraud that generated the court-ordered 2296
judgments. If it is determined that additional amounts are 2297
necessary for this purpose, the amounts are hereby appropriated. 2298

ORGANIZED CRIME COMMISSION DISTRIBUTIONS The foregoing 2299
appropriation item 055601, Organized Crime Commission 2300
Distributions, shall be used by the Organized Crime 2301
Investigations Commission, as provided by section 177.011 of the 2302
Revised Code, to reimburse political subdivisions for the 2303
expenses the political subdivisions incur when their law 2304
enforcement officers participate in an organized crime task 2305
force. If it is determined that additional amounts are necessary 2306

for this purpose, the amounts are hereby appropriated.					2307
COLLECTION PAYMENT REDISTRIBUTION					2308
The foregoing appropriation item 055650, Collection					2309
Payment Redistribution, shall be used for the purpose of					2310
allocating the revenue where debtors mistakenly paid the client					2311
agencies instead of the Attorney General's Collections					2312
Enforcement Section. If it is determined that additional amounts					2313
are necessary for this purpose, the amounts are hereby					2314
appropriated.					2315
Sec. 361.10. PEN PENSION SUBSIDIES					2316
General Revenue Fund					2317
GRF 090524 Police and Fire	\$ 3,000	\$ 3,000			2318
Disability Pension					2319
Fund					2320
GRF 090534 Police and Fire	\$ 42,000	\$ 42,000			2321
Ad Hoc Cost of					2322
Living					2323
GRF 090554 Police and Fire	\$ 355,000	\$ 355,000			2324
Survivor Benefits					2325
GRF 090575 Police and Fire	\$ 20,000,000	\$ 20,000,000			2326
Death Benefits		<u>25,500,000</u>			2327
TOTAL GRF General Revenue Fund	\$ 20,400,000	\$ 20,400,000			2328
		<u>25,900,000</u>			2329
TOTAL ALL BUDGET FUND GROUPS	\$ 20,400,000	\$ 20,400,000			2330

				<u>25,900,000</u>	2331
		POLICE AND FIRE DEATH BENEFIT FUND			2332
		The foregoing appropriation item 090575, Police and Fire			2333
		Death Benefits, shall be disbursed quarterly by the Treasurer of			2334
		State at the beginning of each quarter of each fiscal year to			2335
		the Board of Trustees of the Ohio Police and Fire Pension Fund.			2336
		The Treasurer of State shall certify such amounts quarterly to			2337
		the Director of Budget and Management. By the twentieth day of			2338
		June of each fiscal year, the Board of Trustees of the Ohio			2339
		Police and Fire Pension Fund shall certify to the Treasurer of			2340
		State the amount disbursed in the current fiscal year to make			2341
		the payments required by section 742.63 of the Revised Code and			2342
		shall return to the Treasurer of State moneys received from this			2343
		appropriation item but not disbursed.			2344
		Section 4. That existing Sections 221.20 and 361.10 of Am.			2345
		Sub. H.B. 49 of the 132nd General Assembly are hereby repealed.			2346
		Section 5. That Section 221.10 of Am. Sub. H.B. 49 of the			2347
		132nd General Assembly, as amended by Sub. H.B. 292 of the 132nd			2348
		General Assembly, be amended to read as follows:			2349
		Sec. 221.10. AGO ATTORNEY GENERAL			2350
		General Revenue Fund			2351
GRF	055321	Operating Expenses	\$ 40,958,461	\$ 40,958,461	2352
GRF	055405	Law-Related Education	\$ 68,950	\$ 68,950	2353
GRF	055406	BCIRS Lease Rental			2354
		Payments	\$ 2,513,600	\$ 2,512,900	2355
GRF	055411	County Sheriffs' Pay			2356
		Supplement	\$ 898,398	\$ 934,765	2357

GRF	055415	County Prosecutors'			2358
		Pay Supplement	\$ 1,149,517	\$ 1,206,989	2359
GRF	055431	Drug Abuse Response			2360
		Team Grants	\$ 1,500,000	\$ 1,500,000	2361
GRF	055501	Rape Crisis Centers	\$ 1,550,000	\$ 1,550,000	2362
<u>GRF</u>	<u>055505</u>	<u>Pike County Capital</u>	<u>\$ 0</u>	<u>\$ 100,000</u>	2363
		<u>Case</u>			2364
TOTAL GRF		General Revenue Fund	\$ 48,638,926	\$ 48,732,065	2365
				<u>48,832,065</u>	2366
		Dedicated Purpose Fund Group			2367
1060	055612	Attorney General			2368
		Operating	\$ 65,318,182	\$ 61,818,182	2369
4020	055616	Victims of Crime	\$ 20,624,291	\$ 20,624,291	2370
4170	055621	Domestic Violence			2371
		Shelter	\$ 25,000	\$ 25,000	2372
4180	055615	Charitable Foundations	\$ 8,286,000	\$ 8,286,000	2373
4190	055623	Claims Section	\$ 57,439,892	\$ 57,439,892	2374
4200	055603	Attorney General			2375
		Antitrust	\$ 2,432,925	\$ 2,432,925	2376
4210	055617	Police Officers'			2377
		Training Academy Fee	\$ 2,944,355	\$ 1,500,000	2378
4L60	055606	DARE Programs	\$ 3,814,289	\$ 3,814,289	2379

4Y70	055608	Title Defect Recision	\$ 613,751	\$ 613,751	2380
4Z20	055609	BCI Asset Forfeiture			2381
		and Cost Reimbursement	\$ 2,500,000	\$ 2,500,000	2382
5900	055633	Peace Officer Private			2383
		Security Training	\$ 95,325	\$ 95,325	2384
5A90	055618	Telemarketing Fraud			2385
		Enforcement	\$ 10,000	\$ 10,000	2386
5L50	055619	Law Enforcement			2387
		Assistance Program	\$ 9,377,803	\$ 0	2388
5LR0	055655	Peace Officer			2389
		Training - Casino	\$ 4,629,409	\$ 4,629,409	2390
5MP0	055657	Peace Officer Training			2391
		Commission	\$ 325,000	\$ 325,000	2392
5TL0	055659	Organized Crime Law			2393
		Enforcement Trust	\$ 100,000	\$ 100,000	2394
6310	055637	Consumer Protection			2395
		Enforcement	\$ 9,276,000	\$ 9,276,000	2396
6590	055641	Solid and Hazardous			2397
		Waste Background			2398
		Investigations	\$ 328,728	\$ 328,728	2399
U087	055402	Tobacco Settlement			2400
		Oversight,			2401

		Administration,			2402
		and Enforcement	\$ 2,650,000	\$ 2,650,000	2403
		TOTAL DPF Dedicated Purpose Fund			2404
		Group	\$ 190,790,950	\$ 176,468,792	2405
		Internal Service Activity Fund Group			2406
1950	055660	Workers' Compensation			2407
		Section	\$ 8,778,072	\$ 8,778,072	2408
		TOTAL ISA Internal Service Activity			2409
		Fund Group	\$ 8,778,072	\$ 8,778,072	2410
		Holding Account Fund Group			2411
R004	055631	General Holding			2412
		Account	\$ 1,000,000	\$ 1,000,000	2413
R005	055632	Antitrust Settlements	\$ 1,000,000	\$ 1,000,000	2414
R018	055630	Consumer Frauds	\$ 1,000,000	\$ 1,000,000	2415
R042	055601	Organized Crime			2416
		Commission			2417
		Distributions	\$ 750,000	\$ 750,000	2418
R054	055650	Collection Payment			2419
		Redistribution	\$ 4,500,000	\$ 4,500,000	2420
		TOTAL HLD Holding Account Fund Group	\$ 8,250,000	\$ 8,250,000	2421
		Federal Fund Group			2422
3060	055620	Medicaid Fraud Control	\$ 8,961,419	\$ 8,961,419	2423

3830	055634	Crime Victims			2424
		Assistance	\$ 70,000,000	\$ 70,000,000	2425
3E50	055638	Attorney General			2426
		Pass-Through Funds	\$ 2,320,999	\$ 2,320,999	2427
3FV0	055656	Crime Victim			2428
		Compensation	\$ 3,155,000	\$ 3,155,000	2429
3R60	055613	Attorney General			2430
		Federal Funds	\$ 2,799,999	\$ 2,799,999	2431
TOTAL FED	Federal Fund Group		\$ 87,237,417	\$ 87,237,417	2432
TOTAL ALL BUDGET FUND GROUPS			\$ 343,695,365	\$ 329,466,346	2433
				<u>329,566,346</u>	2434

Section 6. That existing Section 221.10 of Am. Sub. H.B. 2435
49 of the 132nd General Assembly, as amended by Sub. H.B. 292 of 2436
the 132nd General Assembly, is hereby repealed. 2437

Section 7. The Director of Budget and Management shall 2438
determine, within 90 days after the effective date of this 2439
section, whether a transfer from the GRF to the State Employee 2440
Health Benefit Fund (Fund 8080) is necessary to implement the 2441
provisions of division (C) of section 124.824 of the Revised 2442
Code, as enacted by Sub. S.B. 296 of the 132nd General Assembly. 2443
If the Director determines that such a transfer is necessary, 2444
the Director may transfer up to \$1,000,000 cash during FY 2019 2445
from the GRF to Fund 8080 to implement those provisions. 2446

Section 8. The General Assembly, applying the principle 2447
stated in division (B) of section 1.52 of the Revised Code that 2448
amendments are to be harmonized if reasonably capable of 2449

simultaneous operation, finds that the following sections, 2450
presented in this act as composites of the sections as amended 2451
by the acts indicated, are the resulting versions of the 2452
sections in effect before the effective date of the sections as 2453
presented in this act: 2454

Section 5705.19 of the Revised Code as amended by Sub. 2455
H.B. 158, Am. Sub. H.B. 277, Sub. H.B. 413, and Am. Sub. H.B. 2456
483, all of the 131st General Assembly. 2457

Section 9. Section 3501.021 of the Revised Code, as 2458
amended by this act, shall take effect January 1, 2021. 2459