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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 377  
134<sup>th</sup> General Assembly

## Final Analysis

[Click here for H.B. 377's Fiscal Note](#)

**Primary Sponsors:** Reps. Hall and Swearingen

**Effective date:** \*

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## SUMMARY

### Appropriations

- Appropriates the following amounts, all in FY 2022:
  - An additional \$422 million to the Office of Budget and Management (OBM) to disburse to certain local governments in accordance with the federal American Rescue Plan Act and reappropriates unused funds at the end of FY 2022 for FY 2023;
  - \$500 million to the Department of Development, for the new Appalachian Community Grant Program;
  - \$20 million to the Secretary of State, to provide financial assistance for the second 2022 primary election;
  - An additional \$750,000 to the Department of Natural Resources for weed harvesting operations at Indian Lake.
- Reappropriates the unexpended, unencumbered balance of these appropriations at the end of FY 2022 to FY 2023.
- Makes conforming changes to prior legislation in the 134<sup>th</sup> General Assembly appropriating funds to the Secretary of State.

### Appalachian Community Grant Program

- Establishes the Appalachian Community Grant Program, to be administered by the Department of Development, in consultation with local development districts.

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\* The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.

- Establishes two categories of grants to be made available within the 32-county Appalachian region of Ohio – Appalachian Planning Grants and Appalachian Development Grants – and prescribes eligibility and application guidelines for each.

## **Election workers excluded from PERS**

- Specifies that a person employed as an election worker in a calendar year when more than one primary election and one general election are held is not a PERS member if the person is paid \$1,000 for that service.

## **Health coverage for township first responders**

- Increases the hours that certain township first responders must be hired with the expectation of working to be considered full-time employees for health care coverage purposes, thus potentially limiting the number of township first responders to whom health care coverage must be provided under certain circumstances.

## **OBM Director warrants**

- Corrects an outdated reference to specify the OBM Director, rather than the Auditor of State, draws warrants from the state treasury for payment of state employee salaries.

## **Land conveyances**

- Authorizes the conveyance of, or easements over, state-owned real estate.

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## DETAILED ANALYSIS

### Appropriations

The act appropriates funds to several agencies in FY 2022, as follows:

| Sub. H.B. 377 appropriations |               |  |
|------------------------------|---------------|--|
| Agency                       | Amount        | Purpose  |
| Development                  | \$500 million | To award grants under the new Appalachian Community Grant Program. See the Detailed Analysis below and LSC's Fiscal Note for <a href="#">H.B. 377</a> , available on the General Assembly's website, <a href="http://legislature.ohio.gov">legislature.ohio.gov</a> , for more information on disbursement of grant funds.<br><br>Reappropriates any unused funds remaining at the end of FY 2022 to FY 2023. <sup>1</sup> |
| Budget and Management        | \$422 million | To disburse additional funds to nonentitlement units of local government in accordance with the American Rescue Plan Act (ARPA) and subsequent guidance issued by the U.S. Department of the Treasury. <sup>2</sup> "Nonentitlement units of local   |

<sup>1</sup> Section 5.

<sup>2</sup> Section 12, amending Section 220.11 of H.B. 168 of the 134<sup>th</sup> General Assembly.

| Sub. H.B. 377 appropriations |              |  |
|------------------------------|--------------|--|
| Agency                       | Amount       | Purpose  |
|                              |              | government” are those units that did not receive ARPA funds directly from the federal government and include cities, villages, and townships. <sup>3</sup><br><br>Reappropriates any unused funds remaining at the end of FY 2022 to FY 2023.<br><br>Note: In June 2021, the General Assembly enacted <a href="#">H.B. 168</a> , which appropriated the initial \$422 million to OBM in FY 2022 for the same purposes. Information about that act may be found on the General Assembly’s website: <a href="#">legislature.ohio.gov</a> . |
| Secretary of State           | \$20 million | To provide financial assistance to county boards of elections to conduct the second 2022 primary election.<br><br>Requires the OBM Director, by December 31, 2022 (or as soon as possible after), to transfer the unexpended, unencumbered balance to the General Revenue Fund. <sup>4</sup>   |
| Natural Resources            | \$750,000    | To provide additional funds for weed harvesting operations at Indian Lake. <sup>5</sup>  |

The act also makes conforming changes to [S.B. 9](#) and [S.B. 11](#), both of the 134<sup>th</sup> General Assembly, to align certain cash transfer deadlines for the OBM Director with the cash transfer deadline in this act.<sup>6</sup> Both of the prior acts are available on the Ohio General Assembly’s website: [legislature.ohio.gov](#).

## Appalachian Community Grant Program

The act establishes the Appalachian Community Grant Program. Under the direction of the Department of Development, and in consultation with local development districts, the program’s goal is to invest in sustainable, transformational projects in Ohio’s 32-county

<sup>3</sup> U.S. Department of the Treasury, *Coronavirus State and Local Fiscal Recovery Funds for Non-entitlement Units of Local Government*, [ARPA Guidelines \(PDF\)](#), which may be accessed by conducting a keyword search “non-entitlement units” on the Department’s website: [home.treasury.gov](#).

<sup>4</sup> Section 6.

<sup>5</sup> Section 14, amending Section 5 of H.B. 175 of the 134<sup>th</sup> General Assembly.

<sup>6</sup> Section 8, amending Section 7 of S.B. 9 of the 134<sup>th</sup> General Assembly; Section 10, amending Section 7 of S.B. 11 of the 134<sup>th</sup> General Assembly.

Appalachian region. All grant funds awarded under the program must comply with requirements under the federal ARPA, as well as requirements laid out in the act.<sup>7</sup>

### **Available grants**

The act directs the Department to make two types of grants available to applicants operating exclusively in Ohio's Appalachian region:<sup>8</sup>

- Appalachian Planning Grants, to defray costs associated with research, planning, and writing a formal project development proposal; and
- Appalachian Development Grants, to fund project implementation, based on the applicant's independently-developed project proposal or a proposal developed with help from a Planning Grant.

The Department must determine the dollar amount of each type of grant. Also, the act directs the Department to develop an application process for both types of grants. Each type of grant application must address how the project relates to the components discussed immediately below.

### **Required project components**

In addition to any other requirements the Department includes as part of the application process, each Planning Grant or Development Grant application must address how the proposed project will incorporate any of the following components:<sup>9</sup>

- An infrastructure component, such as downtown redevelopment;
- A workforce component, such as public-private partnerships to build workforce infrastructure; or
- A healthcare component, such as investments in school or community-based services for children's health.

### **Eligibility and application review**

The act requires the Department to establish grant eligibility requirements to be used when it evaluates grant applications. The requirements must include:<sup>10</sup>

- Scoring criteria for both grants, developed by the Department and published prior to the grant application period; and
- A minimum threshold score for awarding funds.

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<sup>7</sup> Sections 3 and 5.

<sup>8</sup> Section 3(A), (B), and (C).

<sup>9</sup> Section 3(C).

<sup>10</sup> Section 3(D).

The Department must prioritize awarding grants for projects that include the following characteristics:<sup>11</sup>

- Has region-wide scale or impact;
- Is evidence-based;
- Includes a public-private partnership;
- Is economically sustainable;
- Will prove transformative to the region, in the Department's assessment.

### **Assistance from other agencies**

The act permits the Department to consult with other state agencies when evaluating grant applications, to ensure the proposed projects are beneficial to the community based on the act's guidelines.<sup>12</sup>

### **Controlling Board approval of grants; administrative expenses**

The act requires Controlling Board approval for all grants awarded under the program. It also prohibits grant recipients from using more than 3% of grant awards for administrative expenses.<sup>13</sup>

### **Timeline for grants**

The act prohibits the approval of new grant recipients after December 31, 2024, and requires all grant funds to be spent by December 31, 2026. After that date, the program is terminated.<sup>14</sup>

### **Election workers excluded from PERS membership**

Under continuing law, a person employed as an election worker who is paid less than \$600 during a calendar year is excluded from PERS membership. The act adds, for a calendar year in which more than one primary election and one general election are held, that an election worker who is paid \$600 plus an amount not to exceed \$400 (essentially, up to \$1,000 total) is not a PERS member.<sup>15</sup>

### **Health coverage for township first responders**

Ohio law does not require a township to provide health care coverage to its employees. But if a township does so, it must provide uniform coverage to township officers, full-time

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<sup>11</sup> Section 3(E).

<sup>12</sup> Section 3(F).

<sup>13</sup> Section 5.

<sup>14</sup> Section 3(G).

<sup>15</sup> R.C. 145.012.

employees, and their dependents. A township may, but is not required to, provide health care coverage to part-time employees.<sup>16</sup>

The act increases the number of hours that certain township first responders must be hired with the expectation of working to be considered full-time employees for health care coverage.<sup>17</sup> Thus, it potentially limits the number of township first responders to whom health care coverage must be provided if the township otherwise provides the coverage.

Under the act, a first responder is a township employee whose primary duties include those of any of the following occupations:

- A firefighter of a lawfully constituted fire department;
- A first responder, emergency medical technician (EMT)-basic, EMT-intermediate, or EMT-paramedic of an ambulance service organization or emergency medical service organization as described in Ohio's law for licensing first responders and EMTs.<sup>18</sup>

### **Townships that are not applicable large employers under federal law**

Specifically, under the act, a township that is not considered an "applicable large employer" under the federal Patient Protection and Affordable Care Act<sup>19</sup> (ACA) but that provides health care coverage is required to provide it to first responders only if they are hired with the expectation that they will work more than 38 hours weekly. The act does this by increasing from 1,500 to 1,976 (i.e., to precisely 38 hours weekly from approximately 29 hours) the maximum hours a first responder employed by such a township is hired with the expectation of working annually to be considered a part-time employee.

Otherwise, under continuing Ohio law, a township employee who is not a first responder is considered part time for health care coverage purposes if hired with the expectation that the employee will work not more than 1,500 hours in any year.<sup>20</sup>

### **Applicable large employer**

The act's changes regarding health care coverage do not apply to all townships; they apply only to a township that is not considered an "applicable large employer" under the ACA. Under the ACA, an employer that is considered an applicable large employer by employing an average of 50 or more full-time equivalent employees (those who work an average of 30 or

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<sup>16</sup> R.C. 505.60(A) and (B).

<sup>17</sup> R.C. 505.60(G).

<sup>18</sup> R.C. 505.60(G), by reference to R.C. Chapter 4765.

<sup>19</sup> 26 United States Code (U.S.C.) 4980H.

<sup>20</sup> R.C. 505.60(G).

more hours weekly) during the preceding calendar year must provide health care coverage to those employees or pay a penalty. The act defines “applicable large employer” accordingly.<sup>21</sup>

## **OBM warrant**

The act corrects an outdated reference to specify the OBM Director, rather than the Auditor of State, draws warrants from the state treasury for the payment of state employee salaries.<sup>22</sup>

## **Land conveyances**

The act authorizes 35 conveyances of state-owned land or easements relating to state-owned land. While each contains individualized elements, their general format runs along similar lines, which are described below. Following the descriptions of the general elements, a series of tables itemizes the particulars of the conveyances, organized by the agency having control over the real estate.<sup>23</sup>

### **Authority to sell**

For each conveyance, the act authorizes the Governor to execute a Governor’s Deed in the name of the state conveying to the grantee all of the state’s right, title, and interest in the real estate. The grantee is either a specified person or entity or a grantee determined through a process specified in the act, such as the high bidder at an auction. There also could be an alternate grantee if the initial grantee fails to complete the conveyance. A purchase agreement is generally required, which lays out terms of the transaction.

### **Expiration of authority**

Each conveyance authority expires three years after the act’s effective date.

### **Conditions**

Each conveyance includes improvements and chattels (property other than real estate or property attached to real estate) situated on the real estate, and is subject to all easements, covenants, conditions, leases, and restrictions of record including real estate taxes and assessments not yet due and payable. The real estate is to be conveyed in an “as-is, where-is, with all faults” condition.

The deed may contain restrictions, exceptions, reservations, reversionary interests, and other terms and conditions the Director of Administrative Services (DAS Director) determines to be in the best interest of the state. After the conveyance, any of these terms and conditions may be released by the state or the agency having control over the real estate without needing further legislation.

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<sup>21</sup> R.C. 505.60(G) and 26 U.S.C. 4980H.

<sup>22</sup> R.C. 124.81.

<sup>23</sup> Sections 16 through 50.



## **Consideration and where the proceeds go**

Each conveyance authorization specifies either the consideration for the conveyance, such as a purchase price, or the method by which the consideration must be determined. The authorization also typically specifies what happens to the consideration, often designating a fund into which it is deposited.

## **Costs of the conveyance**

Generally, the grantee must pay the costs associated with the purchase, closing, and conveyance, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed. Sometimes, the agency having control over the real estate will be required to pay the cost of advertising the real estate for sale, particularly if it is sold at auction or an alternate grantee ends up being used.

## **Preparation of the deed**

Upon completion of the sale, the DAS Director, with assistance of the Attorney General, must prepare a deed to the real estate and follow a standard procedure: the deed must state the consideration and be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in DAS for recording, and delivered to the grantee. The grantee must present the deed for recording in the local county recorder's office.

### Department of the Adjutant General (ADJ)

| County<br>Approximate<br>acreage | Grantee (buyer) or alternate grantee   | Nonstandard<br>conditions        | Consideration                    | Who<br>pays<br>costs | Where proceeds<br>of sale go |
|----------------------------------|--|----------------------------------|----------------------------------|----------------------|------------------------------|
| Auglaize<br>4.08 acres           | City of St. Mary's. If the city does not enter into purchase contract or timely complete the sale, DAS may use another reasonable method of sale acceptable to ADJ to obtain an alternate grantee. | Must be sold as an entire tract. | Price acceptable to DAS and ADJ. | Buyer.               | Armory Improvements Fund.    |

### Department of Administrative Services (DAS)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions   | Consideration   | Who pays costs  | Where proceeds<br>of sale go |
|----------------------------------|---|--|---|---|------------------------------|
| Belmont<br>29.43 acres           | Highest bidder through a sealed bid or public auction.<br><br>Next highest bidder if highest bidder fails to complete the purchase.<br><br>If DAS rejects all bids, the auction is repeated or an alternate sale process is used. | Deed may contain restrictions prohibiting the buyer from using or selling the land in a way that will interfere with the quiet enjoyment of neighboring state-owned occupied land. | Determined at auction but price must be acceptable to DAS.<br><br>Buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%. | Buyer pays the costs associated with the purchase, closing, and conveyance. DAS, Multi-Agency Radio Communication System Program Office, pays the advertising and other costs incidental to the sale. | MARCS Administration Fund.   |

| County<br>Approximate<br>acreage                        | Grantee (buyer) or<br>alternate grantee                             | Nonstandard conditions  | Consideration   | Who pays costs   | Where proceeds<br>of sale go |
|---|---|---|---|--|------------------------------|
| Summit<br><br>Uncertain<br>(skywalks and<br>air rights) | City of Akron.  | None  | Mutual promises exchanged between the parties. The city previously purchased the Oliver R. Ocasek Government Office Building, and both parties desire to transfer ownership of the improvements (the skywalks), which are attached to the building but were not included in the previous sale. The improvements are currently the subject of a reciprocal easement between the state and the city, providing for their use and maintenance. | City of Akron pays costs associated with the purchase, closing, and conveyance.      | n/a                          |
| Lawrence<br><br>30 acres                                | Board of Education of<br>the Symmes Valley Local<br>School District | Two access gates to be<br>provided for the use of<br>Lillian Darling to access<br>pastureland.<br><br>Must be sold as an entire<br>tract. | \$1   | Buyer pays all costs<br>associated with the<br>purchase, closing, and<br>conveyance. | GRF                          |

### Department of Developmental Disabilities (DDD)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions  | Consideration                                     | Who pays costs  | Where proceeds<br>of sale go   |
|----------------------------------|--|---|---|---|--|
| Franklin<br>1.47 acres           | City of Columbus. If the city does not enter into purchase contract or timely complete the sale, DAS may use a reasonable method of sale acceptable to DDD to obtain an alternate grantee. | Must be sold as an entire tract.<br><br>Deed may contain a restriction that prior to any subsequent sale or transfer of the land, the buyer must offer the land to the state at the same purchase price at the sole option and discretion of DDD.                         | \$1; negotiated price if to an alternate grantee. | Buyer pays the costs associated with the purchase, closing, and conveyance. DDD pays all advertising costs, additional fees, and other costs incidental to the sale of the land to any alternate grantee. | Mental Health Facilities Improvement Fund for the benefit of DDD, or another fund designated by OBM. |
| Franklin<br>0.02 acres           | City of Columbus.  | Conveyance of a perpetual easement that must state the city's obligations with regard to the easement, and require the city to assume responsibility for operating and maintaining the traffic control devices, related equipment, and related road features on the land. | \$2,340.  | City of Columbus.   | Presumably the GRF ( <i>R.C. 113.09</i> ).   |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions           | Consideration   | Who pays costs   | Where proceeds<br>of sale go   |
|----------------------------------|--|----------------------------------|---|--|--|
| Franklin<br>4.03 acres           | City of Columbus. If the city does not enter into purchase contract or timely complete the sale, DAS may use a reasonable method of sale acceptable to DDD to obtain an alternate grantee. | Must be sold as an entire tract. | \$363,000. Negotiated price if to an alternate grantee. | Buyer pays the costs associated with the purchase, closing, and conveyance. DDD pays all advertising costs, additional fees, and other costs incidental to a sale to an alternate grantee. | Mental Health Facilities Improvement Fund for the benefit of DDD, or another fund designated by OBM. |

### Department of Public Safety (DPS)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions           | Consideration   | Who pays costs   | Where proceeds<br>of sale go           |
|----------------------------------|--|----------------------------------|---|--|--|
| Montgomery<br>1.00 acre          | Highest bidder through a sealed bid or public auction.<br><br>Next highest bidder if highest bidder fails to complete the purchase.<br><br>If DAS rejects all bids, the auction is repeated or an alternative sale process is used to obtain an alternate grantee. | Must be sold as an entire tract. | Determined at auction but price must be acceptable to DAS and DPS.<br><br>Buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%. | Buyer pays the costs associated with the purchase, closing, and conveyance. DPS pays all advertising and other costs incidental to the sale. | Public Safety – Highway Purposes Fund. |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions           | Consideration  | Who pays costs   | Where proceeds<br>of sale go           |
|----------------------------------|--|----------------------------------|--|--|--|
| Lucas<br>1.08 acres              | <p>Highest bidder through a sealed bid or public auction.</p> <p>Next highest bidder if highest bidder fails to complete the purchase.</p> <p>If DAS rejects all bids, the auction is repeated or an alternate process is used to obtain an alternate grantee.</p> | Must be sold as an entire tract. | <p>Determined at auction but price must be acceptable to DAS and DPS.</p> <p>Buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.</p> | Buyer pays the costs associated with the purchase, closing, and conveyance. DPS pays advertising and other costs incidental to the sale. | Public Safety – Highway Purposes Fund. |

### Department of Rehabilitation and Correction (DRC)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions  | Consideration   | Who pays costs   | Where proceeds<br>of sale go                                     |
|----------------------------------|--|---|---|--|--|
| Hocking<br>County<br>15.30 acres | Hocking County Board of Commissioners. If the county does not timely complete the sale, DAS may use a reasonable method of sale acceptable to DRC. | <p>Must be sold as an entire tract.</p> <p>Deed must contain a restriction stating that if the land is no longer being used for rehabilitation and correction purposes, the</p> | \$1/price acceptable to DAS and DRC. Negotiated price if to an alternate grantee. | Buyer pays the costs associated with the purchase, closing, and conveyance. DRC pays all advertising costs, additional fees, and other costs incidental to the sale. | Adult and Juvenile Correctional Facilities Bond Retirement Fund. |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee | Nonstandard conditions   | Consideration | Who pays costs | Where proceeds<br>of sale go |
|----------------------------------|---|--|---------------|----------------|------------------------------|
|                                  |   | <p>land reverts back to the state at the sole discretion of DAS and DRC, at the purchase price. (Note – it is unclear how this restriction would operate if there is an alternate grantee.)</p> <p>Prohibits the buyer (presumably through a deed restriction), during any period that state bonds issued to finance or refinance all or a portion of the land are outstanding, from using any portion of the land for a private business use without the state's prior written consent.</p> |               |                |                              |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions           | Consideration                    | Who pays costs   | Where proceeds<br>of sale go                                     |
|----------------------------------|---|----------------------------------|----------------------------------|--|--|
| Allen<br>24.34 acres             | Allen County Board of Commissioners. If the county does not enter into purchase contract or timely complete the sale, DAS may use a reasonable method of sale acceptable to DRC to obtain an alternate grantee. | Must be sold as an entire tract. | Price acceptable to DAS and DRC. | Buyer pays the costs associated with the purchase, closing, and conveyance. DRC pays all advertising costs, additional fees, and other costs incidental to the sale. | Adult and Juvenile Correctional Facilities Bond Retirement Fund. |

### Department of Job and Family Services (JFS)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions           | Consideration  | Who pays costs   | Where proceeds<br>of sale go                           |
|----------------------------------|---|----------------------------------|--|--|--|
| Allen<br>1.49 acres              | <p>Highest bidder through a sealed bid or public auction.</p> <p>Next highest bidder if highest bidder fails to complete the purchase.</p> <p>If DAS rejects all bids, the auction is repeated or an alternative sale process is used to obtain an alternate grantee.</p> | Must be sold as an entire tract. | <p>Determined at auction but price must be acceptable to DAS and JFS.</p> <p>Buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.</p> | Buyer pays the costs associated with the purchase, closing, and conveyance. JFS pays advertising and other costs incidental to the sale. | Unemployment Compensation Special Administrative Fund. |



| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions   | Consideration                         | Who pays costs   | Where proceeds<br>of sale go                                      |
|----------------------------------|--|--------------------------|---------------------------------------|--|---|
| Mahoning<br>3.00 acres           | Mahoning Valley<br>Community School or an<br>alternate grantee<br>determined by any<br>reasonable method of<br>sale acceptable to JFS. | Sold as an entire tract. | A price acceptable to DAS<br>and JFS. | Buyer pays all costs<br>associated with the<br>purchase, closing, and<br>conveyance. If an<br>alternate grantee is used,<br>JFS pays advertising and<br>other costs incidental to<br>the sale. | Unemployment<br>Compensation<br>Special<br>Administrative<br>Fund |

### Ohio State University (OSU)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee | Nonstandard conditions   | Consideration | Who pays costs    | Where proceeds<br>of sale go                  |
|----------------------------------|---|--|---------------|-------------------|---|
| Franklin<br>2.41 acres           | City of Columbus.                       | Amendment to an existing<br>perpetual easement for a<br>sanitary sewer pipeline.<br><br>Easement must state the<br>city's obligations with<br>regard to the easement,<br>and must require the city<br>to assume responsibility<br>for operating and<br>maintaining the sanitary<br>sewer pipeline. | \$1.          | City of Columbus. | Presumably the<br>GRF ( <i>R.C. 113.09</i> ). |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions  | Consideration            | Who pays costs   | Where proceeds<br>of sale go                       |
|----------------------------------|--|---|--------------------------|--|--|
| Franklin<br>2.30 acres           | City of Columbus.  | Perpetual easement for a sanitary sewer pipeline.<br><br>Easement must state the city's obligations with regard to the easement , and must require the city to assume responsibility for operating and maintaining the sanitary sewer pipeline. | \$1.                     | City of Columbus.  | Presumably the GRF ( <i>R.C. 113.09</i> ).         |
| Noble<br>0.17 acres              | Jedidiah D. and Kathryn J. Stephen. If the buyers do not timely complete the sale, OSU may use a reasonable method of sale to obtain an alternate grantee. | Must be sold as an entire tract.<br><br>Prior to conveyance, possession will be governed by an existing interim license between DAS and the Stephens.   | Price acceptable to OSU. | Payment of costs associated with the purchase, closing, and conveyance of the land are to be agreed to by the grantees or alternate grantee and OSU. Payment of advertising costs, additional fees, and other costs incidental to the sale are to be negotiated by OSU with the grantees or alternate grantee. | OSU accounts for purposes to be determined by OSU. |

## Ohio University (OU)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions  | Consideration  | Who pays costs  | Where proceeds<br>of sale go                     |
|----------------------------------|---|---|--|---|--|
| Ross<br>257.28 acres             | Highest bidder through a sealed bid or public auction.<br><br>Next highest bidder if highest bidder fails to complete the purchase.<br><br>If DAS rejects all bids, the auction is repeated or an alternative sale method used to obtain an alternate grantee.  | May be conveyed only if DAS and OU first have determined that the land is surplus land no longer needed by the state and that the conveyance is in the best interest of the state.  | Determined at auction but price must be acceptable to DAS and OU.<br><br>Buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%. | Buyer pays the costs associated with the purchase, closing, and conveyance. OU pays advertising and other costs incidental to the sale.   | OU accounts for purposes to be determined by OU. |
| Athens<br>136.65 acres           | Determined using a reasonable method of sale, which may be by sealed bid or public auction.<br><br>If by auction, the next highest bidder if highest bidder fails to complete the purchase.<br><br>If DAS rejects all bids, the auction is repeated or an alternative sale method is used to obtain an alternate grantee. | Deed may contain restrictions prohibiting the buyer from using, or from selling, the land in a way that will interfere with the quiet enjoyment of neighboring state-owned land.<br><br>Deed may contain terms and conditions acceptable to DAS and OU. | Price acceptable to DAS and OU.<br><br>If by auction, buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.                    | Payment of costs associated with the purchase, closing, and conveyance of the land are to be agreed to by the buyer and OU. OU pays advertising and other costs incidental to the sale. | OU accounts for purposes to be determined by OU. |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions   | Consideration   | Who pays costs  | Where proceeds<br>of sale go                     |
|----------------------------------|--|--|---|---|--|
| Belmont<br>188.79 acres          | <p>Captina Conservancy (all or part of the land). If the conservancy does not timely complete the sale, DAS may use a reasonable method of sale acceptable to OU to obtain an alternate grantee.</p> <p>For any part not offered to the conservancy, the grantee is the highest bidder through a sealed bid or public auction.</p> <p>Next highest bidder if highest bidder fails to complete the purchase.</p> <p>If DAS rejects all bids, the auction is repeated or an alternative sale process is used to obtain an alternate grantee.</p> | None.  | <p>Price acceptable to DAS and OU.</p> <p>For land sold at auction, buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.</p> | Buyer pays the costs associated with the purchase, closing, and conveyance. OU pays advertising and other costs incidental to the sale. | OU accounts for purposes to be determined by OU. |
| Belmont<br>267.15 acres          | Determined using a reasonable method of sale, which may be by sealed bid or public auction.  | Deed may contain restrictions prohibiting the buyer from using, or from selling, the land in a way that will interfere | <p>Price acceptable to DAS and OU.</p> <p>For land sold at auction, buyer must pay 10% of the purchase price to DAS</p>   | Payment of costs associated with the purchase, closing, and conveyance of the land are to be agreed to by                               | OU accounts for purposes to be determined by OU. |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions  | Consideration   | Who pays costs   | Where proceeds<br>of sale go                            |
|----------------------------------|--|---|---|--|---|
|                                  | <p>If by auction, the next highest bidder if highest bidder fails to complete the purchase.</p> <p>If DAS rejects all bids, the auction is repeated or an alternative sale method is used to obtain an alternate grantee.</p>  | <p>with the quiet enjoyment of neighboring state-owned land.</p> <p>Deed and real estate purchase agreement may contain any terms and conditions acceptable to DAS and OU.</p>  | <p>within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.</p>  | <p>the buyer and OU. OU pays advertising and other costs incidental to the sale.</p>   |   |
| Lawrence<br>0.42 acres           | <p>Determined using a reasonable method of sale, which may be by sealed bid or public auction.</p> <p>If by auction, the next highest bidder if highest bidder fails to complete the purchase.</p> <p>If DAS rejects all bids, the auction is repeated or an alternative sale method is used to obtain an alternate grantee.</p> | <p>Deed may contain restrictions prohibiting the buyer from using, or from selling, the land in a way that will interfere with the quiet enjoyment of neighboring state-owned land.</p> <p>Deed and real estate purchase agreement may contain any terms and conditions acceptable to DAS and OU.</p> | <p>Price acceptable to DAS and OU.</p> <p>For land sold at auction, buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.</p> | <p>Payment of costs associated with the purchase, closing, and conveyance of the land are to be agreed to by the buyer and OU. OU pays advertising and other costs incidental to the sale.</p> | <p>OU accounts for purposes to be determined by OU.</p> |
| Athens<br>444.6 acres            | <p>Determined using a reasonable method of sale, which may be by sealed bid or public auction.</p>   | <p>Deed may contain restrictions prohibiting the buyer from using, or from selling, the land in a way that will interfere</p>   | <p>Price acceptable to DAS and OU.</p> <p>For land sold at auction, buyer must pay 10% of</p>   | <p>Payment of costs associated with the purchase, closing, and conveyance of the land are to be agreed to by</p>   | <p>OU accounts for purposes to be determined by OU.</p> |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions   | Consideration   | Who pays costs   | Where proceeds<br>of sale go                            |
|----------------------------------|--|--|---|--|---|
|                                  | <p>If by auction, the next highest bidder if highest bidder fails to complete the purchase.</p> <p>If DAS rejects all bids, the auction is repeated or an alternative sale method is used to obtain an alternate grantee.</p>  | <p>with the quiet enjoyment of neighboring state-owned land.</p> <p>Deed and real estate purchase agreement may contain any terms and conditions acceptable to DAS and OU.</p> | <p>the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.</p>  | <p>the buyer and OU. OU pays advertising and other costs incidental to the sale.</p>   |   |
| Scioto<br>188.17 acres           | <p>Highest bidder through a sealed bid or public auction.</p> <p>Next highest bidder if highest bidder fails to complete the purchase.</p> <p>If DAS rejects all bids, the auction is repeated or an alternative sale method is used to obtain an alternate grantee.</p> | None.  | <p>Determined at auction but price must be acceptable to DAS and OU.</p> <p>Buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.</p> | <p>Buyer pays the costs associated with the purchase, closing, and conveyance. OU pays advertising and other costs incidental to the sale.</p> | <p>OU accounts for purposes to be determined by OU.</p> |

| County<br>Approximate<br>acreage  | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions   | Consideration  | Who pays costs  | Where proceeds<br>of sale go                     |
|---|---|--|--|---|--|
| Athens<br><br>The act separately authorizes conveyance of four OU properties containing buildings, on 0.1 to 0.5 acres. The terms and conditions are the same for each. | Determined using a reasonable method of sale, which may be by sealed bid or public auction.<br><br>If by auction, the next highest bidder if highest bidder fails to complete the purchase.<br><br>If DAS rejects all bids, the auction is repeated or an alternative sale method is used to obtain an alternate grantee. | Deed may contain restrictions prohibiting the buyer from using, or from selling, the land in a way that will interfere with the quiet enjoyment of neighboring state-owned land.<br><br>Deed and real estate purchase agreement may contain any terms and conditions acceptable to DAS and OU. | Price acceptable to DAS and OU.<br><br>For land sold at auction, buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%. | Payment of costs associated with the purchase, closing, and conveyance of the land are to be agreed to by the buyer and OU. OU pays advertising and other costs incidental to the sale. | OU accounts for purposes to be determined by OU. |

### University of Akron (UA)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions           | Consideration  | Who pays costs   | Where proceeds<br>of sale go |
|----------------------------------|--|----------------------------------|--|--|------------------------------|
| Summit<br><br>Unclear            | Alpha Phi Sorority. If the buyer does not timely complete the sale, UA may use a reasonable method of sale to obtain an alternate grantee. | Must be sold as an entire tract. | \$380,000; if alternate grantee, a price acceptable to UA. | Buyer pays the costs associated with the purchase, closing, and conveyance of the land. UA pays advertising costs, | A UA account.                |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee  | Nonstandard conditions  | Consideration   | Who pays costs   | Where proceeds<br>of sale go |
|----------------------------------|--|---|---|--|------------------------------|
|                                  |  |   |   | additional fees, and other<br>costs incidental to the<br>sale.   |                              |
| Summit<br>5.3098 acres           | <p>Highest bidder through a sealed bid or public auction.</p> <p>Next highest bidder if highest bidder fails to complete the purchase.</p> <p>If DAS rejects all bids, the auction is repeated or an alternate method used to obtain an alternate grantee.</p> | <p>Must be sold as an entire tract.</p> <p>Deed may contain restrictions prohibiting the buyer from using, or from selling, the land in a way that will interfere with the quiet enjoyment of neighboring state-owned land.</p> | <p>Determined at auction but price must be acceptable to DAS and UA.</p> <p>Buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%.</p> | <p>Buyer pays the costs associated with the purchase, closing, and conveyance of the land. UA pays advertising costs, additional fees, and other costs incidental to the sale.</p> | A UA account.                |



## University of Toledo (UT)

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions   | Consideration                   | Who pays costs  | Where proceeds<br>of sale go               |
|----------------------------------|---|--|---------------------------------|---|--|
| Lucas<br>3.8 acres               | Toledo Public Schools. If the buyer does not timely complete the sale, DAS may use a reasonable method of sale acceptable to UT to obtain an alternate grantee. | Prior to the execution of the deed, possession of the land is governed by an existing lease between DAS and Toledo Public Schools.   | Price acceptable to DAS and UT. | Buyer pays the costs associated with the purchase, closing, and conveyance of the land. UT pays advertising costs, additional fees, and other costs incidental to the sale. | A UT account.                              |
| Lucas<br>4.6 acres               | Lucas County Commissioners. If the buyer does not timely complete the sale, DAS may use a method of sale acceptable to UT to obtain an alternate grantee.       | Must be sold as an entire tract.   | Price acceptable to DAS and UT. | Buyer pays the costs associated with the purchase, closing, and conveyance of the land. UT pays advertising costs, additional fees, and other costs incidental to the sale. | A UT account.                              |
| Lucas<br>0.034 acres             | City of Toledo  | Conveyance of a perpetual easement for construction and maintenance of a roadway, walkway, and other public improvements.<br><br>The easement must state the city's obligations with regard to the easement, and require the city to | \$4,240                         | City of Toledo  | Presumably the GRF ( <i>R.C. 113.09</i> ). |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions   | Consideration  | Who pays costs  | Where proceeds<br>of sale go |
|----------------------------------|---|--|--|---|------------------------------|
|                                  |   | assume responsibility for operating and maintaining certain roadways, walkways, and other public improvements currently located on the land.   |  |   |                              |
| Lucas<br>2.6 acres               | Highest bidder through a sealed bid or public auction.<br><br>Next highest bidder if highest bidder fails to complete the purchase.<br><br>If DAS rejects all bids, the auction is repeated or an alternative sale method is used to obtain an alternate grantee. | Must be sold as an entire tract.<br><br>Deed may contain restrictions prohibiting the buyer from using or selling, the land in a way that will interfere with the quiet enjoyment of neighboring state-owned occupied land.<br><br>So long as UT operates a healthcare facility on any of the neighboring parcels, the land must not be used as a healthcare medical treatment facility. | Determined at auction but price must be acceptable to DAS and UT.<br><br>Buyer must pay 10% of the purchase price to DAS within five business days after receiving notice the bid has been accepted and the balance within 60 days. Failure to complete the sale results in forfeiture of the 10%. | Buyer pays the costs associated with the purchase, closing, and conveyance of the land. UT pays advertising costs, additional fees, and other costs incidental to the sale. | A UT account.                |

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions   | Consideration | Who pays costs  | Where proceeds<br>of sale go |
|----------------------------------|---|--|---------------|---|------------------------------|
| Lucas<br>3.9 acres               | Toledo Public Schools. If the buyer does not timely complete the sale, DAS may use a reasonable method of sale acceptable to UT to obtain an alternate grantee. | <p>Must be sold as an entire tract.</p> <p>Deed (presumably) must contain a provision that, should the Toledo Public Schools no longer use the land for educational purposes, it reverts back to the state at the sole discretion of DAS and UT. If the land is sold to an alternate grantee, the reversion applies at the discretion of UT.</p> <p>Prior to the execution of the deed, possession of the land is governed by an existing interim lease between DAS and Toledo Public Schools.</p> | \$1           | Buyer pays the costs associated with the purchase, closing, and conveyance of the land. UT pays advertising costs, additional fees, and other costs incidental to the sale. | A UT account.                |

**Ohio Expositions Commission (EXP)**

| County<br>Approximate<br>acreage | Grantee (buyer) or<br>alternate grantee   | Nonstandard conditions | Consideration                    | Who pays costs   | Where<br>proceeds of<br>sale go |
|----------------------------------|---|------------------------|----------------------------------|--|---------------------------------|
| Franklin<br>9.4 acres            | City of Columbus. If the buyer does not timely complete the sale, DAS may use a reasonable method of sale acceptable to EXP to obtain an alternate grantee. | None.                  | Price acceptable to DAS and EXP. | Buyer pays the costs associated with the purchase, closing, and conveyance. EXP pays advertising and other costs incidental to the sale. | Ohio Exposition Fund.           |

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## HISTORY

| Action                                       | Date     |
|--|----------|
| Introduced                                   | 07-15-21 |
| Reported, H. Finance                         | 05-16-22 |
| Passed House (79-11)                         | 05-18-22 |
| Reported, S Finance                          | 06-01-22 |
| Passed Senate (31-1)                         | 06-01-22 |
| House concurred in Senate amendments (80-10) | 06-01-22 |

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