

As Introduced

135th General Assembly

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H. B. No. 415

Representatives Jarrells, Santucci

**Cosponsors: Representatives McNally, Forhan, Miller, J., Brennan, Isaacsohn,
Somani, Miller, A., Brewer, Mohamed, Upchurch, Blackshear, Russo, Cross,
Weinstein, Demetriou, Williams, Plummer**

A BILL

To amend section 122.121 and to enact sections 1
122.29, 122.291, 122.292, and 122.293 of the 2
Revised Code to create the Ohio Sports 3
Commission. 4

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

Section 1. That section 122.121 be amended and sections 5
122.29, 122.291, 122.292, and 122.293 of the Revised Code be 6
enacted to read as follows: 7

Sec. 122.121. ~~(A)~~ (A) (1) A local organizing committee, 8
endorsing municipality, or endorsing county that has entered 9
into a joinder undertaking with a site selection organization 10
may apply to the director of development ~~services~~, on a form and 11
in the manner prescribed by the director, for a grant from the 12
sports event grant fund created under section 122.122 of the 13
Revised Code with respect to a game to which either of the 14
following applies: 15

~~(1)~~ (a) The organization accepts competitive bids to host 16

the game. 17

~~(2)~~ (b) The game is a one-time centennial commemoration of 18
the founding of a national football organization, association, 19
or league. 20

(2) The director of development shall consult with the 21
Ohio sports commission executive council, created under section 22
122.291 of the Revised Code, in evaluating and making a 23
determination respecting applications for grants under this 24
section. 25

A local organizing committee, endorsing municipality, or 26
endorsing county may solicit the assistance of the Ohio sports 27
commission executive council or the Ohio sports commission 28
advisory council, created under section 122.292 of the Revised 29
Code, in negotiating and entering into a joinder agreement with 30
a site selection organization or formulating a grant 31
application. 32

(3) The amount of the grant shall be based on the 33
projected incremental increase in the receipts from the tax 34
imposed under section 5739.02 of the Revised Code within the 35
market area designated under division (C) of this section, for 36
the two-week period that ends at the end of the day after the 37
date on which the game will be held, that is directly 38
attributable, as determined by the director, to the preparation 39
for and presentation of the game. The director shall determine 40
the projected incremental increase in the tax imposed under 41
section 5739.02 of the Revised Code by using a formula approved 42
by the director in consultation with the tax commissioner. The 43
application shall include an estimate of the committee's, 44
municipality's, or county's qualifying costs under the game 45
support contract. The local organizing committee, endorsing 46

municipality, or endorsing county is eligible to receive a grant 47
under this section only if the projected incremental increase in 48
receipts from the tax imposed under section 5739.02 of the 49
Revised Code, as determined by the director, exceeds two hundred 50
fifty thousand dollars. The amount of the grant shall be not 51
less than fifty per cent of the projected incremental increase 52
in receipts, as determined by the director, but shall not exceed 53
the lesser of two million dollars or the amount of the 54
committee's, municipality's, or county's qualifying costs under 55
the game support contract. The director shall disburse the grant 56
to the local organizing committee, endorsing municipality, or 57
endorsing county from the sports event grant fund. 58

(B) If the director of development~~services~~, in 59
consultation with the Ohio sports commission executive council, 60
approves an application for a local organizing committee, 61
endorsing municipality, or endorsing county and that local 62
organizing committee, endorsing municipality, or endorsing 63
county enters into a joinder agreement with a site selection 64
organization, the local organizing committee, endorsing 65
municipality, or endorsing county shall file a copy of the 66
joinder agreement with the director. The grant shall be used 67
exclusively by the local organizing committee, endorsing 68
municipality, or endorsing county to pay its qualifying costs 69
under the game support contract. 70

(C) For the purposes of division (A) of this section, the 71
director of development~~services~~, in consultation with the tax 72
commissioner, shall designate the market area for a game. The 73
market area shall consist of the combined statistical area, as 74
defined by the United States office of management and budget, in 75
which an endorsing municipality or endorsing county is located. 76

(D) A local organizing committee, endorsing municipality, 77
or endorsing county shall provide information required by the 78
director of development ~~services~~ and tax commissioner to enable 79
the director and commissioner to fulfill their duties under this 80
section, including annual audited statements of any financial 81
records required by a site selection organization; data obtained 82
by the local organizing committee, endorsing municipality, or 83
endorsing county relating to attendance at a game and to the 84
economic impact of the game; and financial records from the 85
committee, municipality, or county verifying its qualifying 86
costs under the game support contract. A local organizing 87
committee, an endorsing municipality, or an endorsing county 88
shall provide an annual audited financial statement if so 89
required by the director and commissioner, not later than the 90
end of the fourth month after the date the period covered by the 91
financial statement ends. 92

(E) Within thirty days after the game, the local 93
organizing committee, endorsing municipality, or endorsing 94
county shall certify to the director of development ~~services~~ a 95
statement of its qualifying costs under the game support 96
contract and a report about the economic impact of the game. The 97
certification shall be in the form and substance required by the 98
director, including, but not limited to, a final income 99
statement for the event showing total revenue and expenditures 100
and revenue and expenditures in the market area for the game, 101
and ticket sales for the game and any related activities for 102
which admission was charged. The director shall determine, based 103
on the reported information and the exercise of reasonable 104
judgment, the incremental increase in receipts from the tax 105
imposed under section 5739.02 of the Revised Code directly 106
attributable to the game and the committee's, municipality's, or 107

county's qualifying costs under the game support contract. If 108
the actual incremental increase in sales tax receipts is less 109
than the projected incremental increase in such receipts, or if 110
the actual qualifying costs are less than the estimated 111
qualifying costs, the director may require the local organizing 112
committee, endorsing municipality, or endorsing county to refund 113
to the state all or a portion of the grant. Any refund remitted 114
under this division shall be credited to the sports event grant 115
fund. 116

(F) No disbursement may be made under this section if the 117
director of development ~~services~~ determines that it would be 118
used for the purpose of soliciting the relocation of a 119
professional sports franchise located in this state. 120

(G) This section may not be construed as creating or 121
requiring a state guarantee of obligations imposed on an 122
endorsing municipality or endorsing county under a game support 123
contract or any other agreement relating to hosting one or more 124
games in this state. 125

Sec. 122.29. The Ohio sports commission is created within 126
the department of development, consisting of an executive 127
council and an advisory board. 128

The purpose of the commission is to enhance the quality of 129
life in this state through the attraction, promotion, and 130
development of national and international sports. The commission 131
shall partner and coordinate with convention and visitor 132
bureaus, chambers of commerce, municipal corporations, sports 133
organizations, venues, and appropriate stakeholders to attract 134
and host major sporting events that enhance the state's economy 135
and image. 136

<u>Sec. 122.291. (A) The Ohio sport commission executive</u>	137
<u>council is created. The council shall do all of the following:</u>	138
<u>(1) Study the promotion and development of sports tourism</u>	139
<u>in this state, with a view to fulfilling the purpose of the Ohio</u>	140
<u>sports commission under section 122.29 of the Revised Code;</u>	141
<u>(2) Partner and communicate with private and public</u>	142
<u>stakeholders to attract major sports events to this state;</u>	143
<u>(3) Develop policy recommendations for the general</u>	144
<u>assembly, the governor, and local governments;</u>	145
<u>(4) Not later than six months after the effective date of</u>	146
<u>this section, issue a report of its findings and recommendations</u>	147
<u>to the governor, the president of the senate, and the speaker of</u>	148
<u>the house of representatives;</u>	149
<u>(5) Review grant applications and issue grants to public</u>	150
<u>and private entities that fulfill the purpose described in</u>	151
<u>section 122.29 of the Revised Code, with moneys appropriated to</u>	152
<u>the fund created under section 122.293 of the Revised Code for</u>	153
<u>that purpose;</u>	154
<u>(6) Provide assistance, upon request, to organizing</u>	155
<u>committees, endorsing municipalities, or endorsing counties in</u>	156
<u>negotiating and entering into joinder agreements with site</u>	157
<u>selection organizations and formulating applications for grants</u>	158
<u>under section 122.121 of the Revised Code;</u>	159
<u>(7) Consult with the director of development in evaluating</u>	160
<u>and making a determination respecting applications for grants</u>	161
<u>under section 122.121 of the Revised Code;</u>	162
<u>(8) Appoint members to the Ohio sports commission advisory</u>	163
<u>council under section 122.292 of the Revised Code.</u>	164

(B) The Ohio sports commission executive council shall 165
consist of the following fifteen members, and the membership 166
shall reflect the diversity of the state: 167

(1) The governor or the governor's designee; 168

(2) The director of development or the director's 169
designee; 170

(3) The director of the office of TourismOhio under 171
section 122.07 of the Revised Code, or the director's designee; 172

(4) One member of the majority party of the senate 173
appointed by the president of the senate; 174

(5) One member of the minority party of the senate 175
appointed by the senate minority leader; 176

(6) One member of the majority party of the house of 177
representatives appointed by the speaker of the house of 178
representatives; 179

(7) One member of the minority party of the house of 180
representatives appointed by the minority leader of the house of 181
representatives; 182

(8) One member of an organization in this state that 183
represents student athletes, appointed by the governor; 184

(9) One member of an organization in this state that 185
represents professional athletes, appointed by the governor; 186

(10) One member that represents convention and visitors' 187
bureaus in this state, appointed by the governor; 188

(11) One member that represents local sports commissions 189
in the Cincinnati and southwestern Ohio area, recommended by one 190
or more sports commissions fitting that description, and 191

appointed by the governor; 192

(12) One member that represents local sports commissions 193
in the Columbus and central Ohio area, recommended by one or 194
more sports commissions fitting that description, and appointed 195
by the governor; 196

(13) One member that represents local sports commissions 197
in the Cleveland and northeastern Ohio area, recommended by one 198
or more sports commissions fitting that description, and 199
appointed by the governor; 200

(14) One member that represents local sports commissions 201
in any area of Ohio not described above, recommended by one or 202
more sports commissions fitting that description, and appointed 203
by the governor; 204

(15) One member that represents private stakeholders in 205
the sports industry or tourism industries in this state, 206
appointed by the governor. 207

(C) Of the members appointed by the governor, four shall 208
be appointed to initial terms of two years, and four shall be 209
appointed to initial terms of four years. Thereafter, all 210
members appointed by the governor shall be appointed to terms of 211
four years. All members of the council appointed by the speaker 212
and minority leader of the house of representatives or the 213
president and minority leader of the senate shall be appointed 214
within thirty days after the commencement of the first regular 215
session of each general assembly, and shall serve until the 216
expiration of the session of the general assembly during which 217
they were appointed, provided they continue to hold the office 218
of member of the general assembly. A vacancy on the commission 219
shall be filled in the same manner as the original appointment. 220

Members of the council shall serve without compensation, 221
but shall be reimbursed for the actual and necessary expenses 222
incurred in the performance of official duties, payable from the 223
fund created in section 122.293 of the Revised Code. 224

(D) The council may appoint such employees as it considers 225
necessary to carry out its duties under this section. The 226
department of development shall provide office space and meeting 227
areas for the council. 228

(E) The council shall elect a chairperson at its first 229
meeting, and biannually thereafter. The council shall meet at 230
the call of its chairperson to conduct its official business. A 231
majority of the members of the council constitute a quorum. The 232
vote of at least eight members of the council are necessary for 233
the council to take any official action, including appointing 234
members of the advisory council or approving the distribution of 235
grants under this section. 236

Sec. 122.292. (A) The Ohio sports commission advisory 237
council is created. The advisory council shall do all of the 238
following: 239

(1) Assist the Ohio sports commission executive council 240
with all of its obligations under section 122.291 of the Revised 241
Code; 242

(2) Study the promotion and development of sports tourism 243
in this state, with a view to fulfilling the purpose of the Ohio 244
sports commission under section 122.29 of the Revised Code; 245

(3) Partner and communicate with private and public 246
stakeholders to attract major sports events to this state; 247

(4) Develop policy recommendations for the executive 248
council, and provide input regarding any plans developed or 249

grants contemplated by the executive council; 250

(5) Provide assistance, upon request, to organizing 251
committees, endorsing municipalities, or endorsing counties in 252
negotiating and entering into joinder agreements with site 253
selection organizations and formulating applications for grants 254
under section 122.121 of the Revised Code; 255

(6) Attend meetings of the executive council, at the 256
executive council's discretion. 257

(B) The advisory council shall consist of nine or eleven 258
members, at the discretion of the executive board, and the 259
members shall represent public and private stakeholders in the 260
sports tourism industry in this state, as well as consist of at 261
least one athlete representative. 262

(C) Members of the advisory council shall serve without 263
compensation, but shall be reimbursed for the actual and 264
necessary expenses incurred in the performance of official 265
duties, payable from the fund created in section 122.293 of the 266
Revised Code. The department of development shall provide office 267
space and meeting areas for the advisory council. 268

(D) The advisory council shall elect a chairperson at its 269
first meeting, and biannually thereafter. The council shall meet 270
at the call of its chairperson to conduct its official business. 271
A majority of the members of the council constitute a quorum. 272
The votes of a majority of the members of the council are 273
necessary for the council to take any official action. 274

Sec. 122.293. The Ohio sports commission fund is created 275
in the state treasury consisting of money credited or 276
transferred to it and grants, gifts, and contributions made 277
directly to it. Money in the fund shall be used to defray costs 278

<u>incurred by the Ohio sports commission in fulfilling its duties</u>	279
<u>under section 122.29 of the Revised Code.</u>	280
Section 2. That existing section 122.121 of the Revised	281
Code is hereby repealed.	282