

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**S. B. No. 230**

**Senator Antani**

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**A BILL**

To amend sections 9.63 and 5747.502 and to enact 1  
sections 9.631, 9.632, 9.633, and 9.634 of the 2  
Revised Code to require state and local 3  
authorities to cooperate with the federal 4  
government in the enforcement of immigration 5  
laws, to sanction those that fail to do so, and 6  
to declare an emergency. 7

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

**Section 1.** That sections 9.63 and 5747.502 be amended and 8  
sections 9.631, 9.632, 9.633, and 9.634 of the Revised Code be 9  
enacted to read as follows: 10

**Sec. 9.63.** (A) Notwithstanding any law, ordinance, or 11  
collective bargaining contract to the contrary, no state or 12  
local employee shall unreasonably fail to comply with any lawful 13  
request for assistance made by any federal authorities carrying 14  
out the provisions of the USA Patriot Act, any federal 15  
~~immigration or~~ terrorism investigation, or any executive order 16  
of the president of the United States pertaining to homeland 17  
security, to the extent that the request is consistent with the 18  
doctrine of federalism. 19

(B) No municipal corporation shall enact an ordinance, policy, directive, rule, or resolution that would materially hinder or prevent local employees from complying with the USA Patriot Act or any executive order of the president of the United States pertaining to homeland security or from cooperating with state or federal ~~immigration services and~~ terrorism investigations.

(C) (1) Any municipal corporation that enacts any ordinance, policy, directive, rule, or resolution that division (B) of this section prohibits is ineligible to receive any homeland security funding available from the state.

(2) Whenever the director of public safety determines that a municipal corporation has enacted any ordinance, policy, directive, rule, or resolution that division (B) of this section prohibits, the director shall certify that the municipal corporation is ineligible to receive any homeland security funding from the state and shall notify the general assembly of that ineligibility. That municipal corporation shall remain ineligible to receive any homeland security funding from the state until the director certifies that the ordinance, policy, directive, rule, or resolution has been repealed.

(D) (1) If a state or local employee states disagreement with, or a critical opinion of, the USA Patriot Act, any federal ~~immigration or~~ terrorism policy, or any executive order of the president of the United States pertaining to homeland security, the statement of disagreement with or critical opinion of the act or order is not sufficient to qualify for purposes of this section as unreasonable noncompliance with a request for assistance of the type division (A) of this section describes.

(2) Any municipal corporation's ordinance, policy,

directive, rule, or resolution that states disagreement with, or 50  
a critical opinion of, any state or federal ~~immigration or~~ 51  
terrorism policy, the USA Patriot Act, or any executive order of 52  
the president of the United States pertaining to homeland 53  
security is not sufficient to qualify as a "material hindrance 54  
or prevention" of local employees from cooperating with federal 55  
~~immigration services and terrorism~~ investigations or from 56  
complying with the USA Patriot Act or any executive order of the 57  
president of the United States pertaining to homeland security 58  
for purposes of divisions (B), (C), and (D) of this section. 59

(E) As used in this section, "USA Patriot Act" means the 60  
"Uniting and Strengthening America by Providing Appropriate 61  
Tools Required to Intercept and Obstruct Terrorism (USA Patriot 62  
Act) Act of 2001," Pub. L. No. 107-056, 115 Stat. 272, as 63  
amended. 64

Sec. 9.631. (A) As used in this section and sections 9.632 65  
and 9.633 of the Revised Code: 66

(1) "Law enforcement agency" means a municipal or township 67  
police department, the office of a sheriff, the state highway 68  
patrol, or any other state or local governmental body that 69  
enforces criminal laws and that has employees who have a 70  
statutory power of arrest. 71

(2) "Political subdivision" means a county, township, 72  
municipal corporation, or any other body corporate and politic 73  
that is responsible for government activities in a geographic 74  
area smaller than that of the state. 75

(3) "State or local governmental entity" means any agency, 76  
board, bureau, commission, council, department, division, 77  
office, or other organized body established by the state or a 78

political subdivision for the exercise of any function of the 79  
state or a political subdivision. 80

(4) "State or local public benefit" has the same meaning 81  
as in division (c) of section 411 of the "Personal 82  
Responsibility and Work Opportunity Reconciliation Act of 1996," 83  
8 U.S.C. 1621(c). 84

(B) A law enforcement agency shall do all of the 85  
following: 86

(1) Participate in any available program operated by the 87  
United States department of homeland security or its successor 88  
department that allows the law enforcement agency to submit to 89  
federal authorities information about an arrestee in order to 90  
enable those authorities to determine whether the arrestee is 91  
unlawfully present in the United States; 92

(2) Immediately report the identity of any arrestee whom a 93  
peace officer has reasonable cause to believe is unlawfully 94  
present in the United States to the appropriate office of the 95  
United States immigration and customs enforcement agency or its 96  
successor agency; 97

(3) Detain a person who is unlawfully present in the 98  
United States, upon receiving a lawful federal request or order 99  
to do so, until the person is transferred into federal custody; 100

(4) Otherwise cooperate and comply with federal officials 101  
in the enforcement of federal immigration law. 102

(C) (1) Each state or local governmental entity 103  
administering a state or local public benefit shall comply with 104  
section 411 of the "Personal Responsibility and Work Opportunity 105  
Reconciliation Act of 1996," 8 U.S.C. 1621. 106

(2) Except as otherwise provided in division (C) (3) of 107  
this section, whenever a person who is not a United States 108  
citizen or national applies to a state or local governmental 109  
entity for a state or local public benefit, the state or local 110  
governmental entity shall verify whether the person is 111  
ineligible for the benefit under section 411 of the "Personal 112  
Responsibility and Work Opportunity Reconciliation Act of 1996," 113  
8 U.S.C. 1621, using the systematic alien verification for 114  
entitlements (SAVE) program, or its successor program, operated 115  
by the United States department of homeland security or its 116  
successor agency. 117

(3) Division (C) (2) of this section does not apply when a 118  
person applies for a state or local public benefit described in 119  
division (b) of section 411 of the "Personal Responsibility and 120  
Work Opportunity Reconciliation Act of 1996," 8 U.S.C. 1621, or 121  
for a state or local public benefit for which the Revised Code 122  
affirmatively provides eligibility for persons described in 123  
division (a) of that section. 124

(D) No state or local government agency or political 125  
subdivision shall adopt an ordinance, policy, directive, rule, 126  
or resolution that prohibits or otherwise restricts a public 127  
official or employee from doing any of the following: 128

(1) Complying with the requirements of division (B) or (C) 129  
of this section; 130

(2) Inquiring about a person's name, birthdate, place of 131  
birth, or citizenship or immigration status in the course of 132  
investigating or prosecuting a violation of any law or 133  
ordinance; 134

(3) Maintaining information about a person's citizenship 135

<u>or immigration status;</u>	136
<u>(4) Sending information to, or requesting or receiving</u>	137
<u>information from, a federal, state, or local government agency</u>	138
<u>or employee concerning a person's citizenship or immigration</u>	139
<u>status or for the purpose of determining a person's citizenship</u>	140
<u>or immigration status;</u>	141
<u>(5) Complying with any request by a federal agency engaged</u>	142
<u>in the enforcement of federal immigration law for information,</u>	143
<u>access, or assistance, regardless of whether the federal agency</u>	144
<u>has obtained a warrant to compel the state or local government</u>	145
<u>agency or political subdivision to comply with the request,</u>	146
<u>unless federal law prohibits the state or local government</u>	147
<u>agency or political subdivision from complying with the request.</u>	148
<b><u>Sec. 9.632. (A) Each law enforcement agency and each state</u></b>	149
<b><u>or local governmental entity that administers a state or local</u></b>	150
<b><u>public benefit shall notify its officers and employees of the</u></b>	151
<b><u>requirements of sections 9.63 and 9.631 of the Revised Code.</u></b>	152
<u>(B) (1) A resident of this state who believes that a</u>	153
<u>county, township, or municipal corporation or the law</u>	154
<u>enforcement agency that serves the county, township, or</u>	155
<u>municipal corporation is not complying with the requirements of</u>	156
<u>section 9.631 of the Revised Code may file a complaint with the</u>	157
<u>director of public safety. Upon receiving the complaint, the</u>	158
<u>director shall investigate whether the county, township,</u>	159
<u>municipal corporation, or law enforcement agency is complying</u>	160
<u>with the requirements of that section and shall submit a report</u>	161
<u>of the director's findings to the treasurer of state, to the tax</u>	162
<u>commissioner, to the speaker and minority leader of the house of</u>	163
<u>representatives, and to the president and minority leader of the</u>	164
<u>senate.</u>	165

(2) If the director determines that a county, township, municipal corporation, or law enforcement agency originally reported as failing to comply with the requirements of section 9.631 of the Revised Code is in compliance with those requirements, the director promptly shall issue an addendum to the director's original report concerning that county, township, municipal corporation, or law enforcement agency to the persons who received the original report. 166  
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(C) If the director of public safety determines that a county, township, or municipal corporation or the law enforcement agency that serves the county, township, or municipal corporation is not in compliance with the requirements of section 9.631 of the Revised Code, then the county, township, or municipal corporation is ineligible to receive homeland security funding and any local government fund distributions from the state until the director of public safety certifies in an addendum issued under division (B) (2) of this section that the county, township, municipal corporation, or law enforcement agency is in compliance with the requirements of that section. 174  
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**Sec. 9.633.** (A) A person who has suffered a personal injury, death, or property loss, the person's legal representative, or the administrator of the person's estate may file a complaint seeking the removal of a public officer in the legislative or executive branch of government of a county, township, or municipal corporation if all of the following apply: 185  
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(1) A criminal offense that occurred on or after the effective date of this section was a proximate cause of the person's personal injury, death, or property loss. 192  
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(2) A person who was unlawfully present in the United 195

States at the time of the offense has been convicted of the 196  
offense. 197

(3) The county, township, or municipal corporation or the 198  
law enforcement agency that serves the county, township, or 199  
municipal corporation was not in compliance with the 200  
requirements of section 9.631 of the Revised Code at the time of 201  
the offense. 202

(4) At the time of the offense, one of the following was 203  
true: 204

(a) The offender resided or worked in the county, 205  
township, or municipal corporation. For purposes of this 206  
division, a person resides in the place in which the person's 207  
habitation is fixed and to which, whenever the person is absent, 208  
the person has the intention of returning. 209

(b) The offender spent time in the county, township, or 210  
municipal corporation because the offender received an actual or 211  
perceived benefit from the failure of the county, township, or 212  
municipal corporation or the law enforcement agency that serves 213  
the county, township, or municipal corporation to comply with 214  
the requirements of section 9.631 of the Revised Code. 215

(5) The public officer did any of the following: 216

(a) In the case of a member of the legislative authority 217  
of the county, township, or municipal corporation, voted in 218  
favor of a resolution, ordinance, order, rule, or policy that 219  
caused the county, township, or municipal corporation or the law 220  
enforcement agency that serves the county, township, or 221  
municipal corporation not to comply with the requirements of 222  
section 9.631 of the Revised Code; 223

(b) Issued or adopted an order, rule, or policy that 224



caused the county, township, or municipal corporation or the law 225  
enforcement agency that serves the county, township, or 226  
municipal corporation not to comply with the requirements of 227  
that section; 228

(c) Enforced or otherwise implemented a resolution, 229  
ordinance, order, rule, or policy that caused the county, 230  
township, or municipal corporation or the law enforcement agency 231  
that serves the county, township, or municipal corporation not 232  
to comply with the requirements of that section. 233

(B) A person who files a complaint under this section 234  
shall file the complaint in the court of common pleas of the 235  
county in which the public officer resides. The prosecuting 236  
attorney of the county shall prosecute the removal, except that 237  
if the prosecuting attorney is the subject of the complaint, the 238  
attorney general shall appoint a special prosecutor to prosecute 239  
the removal. The court shall hold a hearing on the complaint not 240  
later than thirty days after it is filed. Not later than ten 241  
days before the hearing, the court shall cause a copy of the 242  
complaint and a notice of the hearing to be served on the public 243  
officer and on the prosecutor. The court may suspend the officer 244  
pending the hearing. 245

(C) (1) A judge shall try the case, unless the public 246  
officer demands a jury trial under division (C) (2) of this 247  
section. If the judge determines that all of the elements 248  
described in division (A) of this section are true, the judge 249  
shall order that the public officer be removed from office and 250  
shall file a full, detailed statement of the reasons for the 251  
removal with the clerk of the court. The proceedings and the 252  
findings of the judge shall be matters of public record. 253

(2) If the public officer demands a jury trial, a jury 254

composed of twelve persons who satisfy the qualifications of a 255  
juror specified in section 2313.17 of the Revised Code shall 256  
hear the case. If nine or more members of the jury find that all 257  
of the elements described in division (A) of this section are 258  
true, the jury shall return a finding for the removal of the 259  
public officer, the judge shall order that the public officer be 260  
removed from office, and the finding and order shall be filed 261  
with the clerk of the court and made a matter of public record. 262  
If less than nine members of the jury find that all of the 263  
elements described in division (A) of this section are true, the 264  
jury shall return a finding that the complaint be dismissed, and 265  
the judge shall order that the complaint be dismissed. 266

(D) (1) The court of appeals may review the decision of the 267  
court of common pleas on appeal on questions of law. Not later 268  
than twenty days after the court of common pleas enters its 269  
decision, a party who seeks to appeal the decision shall request 270  
a hearing in the court of appeals in order to show good cause 271  
why the court of appeals should grant leave to appeal. The court 272  
of appeals shall hold the hearing not later than ten days after 273  
the hearing is requested and shall notify the public officer and 274  
the prosecutor of the hearing. If the court of appeals refuses 275  
to grant leave to appeal, the decision shall be final. 276

(2) If the court of appeals grants leave to appeal, the 277  
appellant shall file the transcript of the record and the notice 278  
of appeal in the court of appeals not later than ten days after 279  
the court of appeals grants leave to appeal. The court of 280  
appeals shall hear the case not later than thirty days after the 281  
filing of the notice of appeal. The decision of the court of 282  
appeals in passing upon the merits of the case in the appellate 283  
proceedings shall be final. 284

(E) The court of common pleas and the court of appeals may 285  
subpoena witnesses and compel their attendance in the same 286  
manner as in civil cases. The sheriff of the county in which a 287  
witness resides shall serve process upon the witness. The 288  
witness fees and other fees in connection with the removal 289  
proceedings shall be the same as in civil cases, and the county 290  
shall pay the expenses incurred in the proceedings out of its 291  
general fund. 292

**Sec. 9.634.** (A) The general assembly finds that all of the 293  
following are true: 294

(1) Sanctuary policies that restrict, obstruct, or 295  
discourage cooperation with federal immigration authorities are 296  
prohibited by such federal laws as Section 642 of the "Omnibus 297  
Consolidated Appropriations Act of 1996," 8 U.S.C. 1373, which 298  
states that "a Federal, State, or local government entity or 299  
official may not prohibit, or in any way restrict, any 300  
government entity or official from sending to, or receiving 301  
from, the Immigration and Naturalization Service information 302  
regarding the citizenship or immigration status, lawful or 303  
unlawful, of any individual." 304

(2) On January 25, 2017, the then President of the United 305  
States issued an executive order, "Enhancing Public Safety in 306  
the Interior of the United States," that addresses sanctuary 307  
jurisdictions. The order states that it is the policy of the 308  
executive branch of the federal government to ensure that 309  
Section 642 of the "Omnibus Consolidated Appropriations Act of 310  
1996," 8 U.S.C. 1373, is enforced to the fullest extent of the 311  
law and that the United States Attorney General and Secretary of 312  
Homeland Security must ensure that jurisdictions that willfully 313  
refuse to comply with that law are ineligible for federal 314

grants, except as the attorney general or the secretary deem 315  
necessary for law enforcement purposes. 316

(3) In *Arizona v. United States*, 567 U.S. 387 (2012), the 317  
Supreme Court of the United States ruled that the United States 318  
Congress has the exclusive authority to legislate on immigration 319  
matters, that states may not augment the penalties for violating 320  
federal immigration laws, that "consultation between federal and 321  
state officials is an important feature of the immigration 322  
system," and that "Congress has encouraged the sharing of 323  
information about possible immigration violations." 324

(B) The general assembly declares all of the following: 325

(1) Given the supremacy of all federal laws pertaining to 326  
immigration, including Section 274 of the "Immigration and 327  
Nationality Act," 8 U.S.C. 1324, as amended, which prohibits 328  
knowingly harboring persons who are unlawfully present in the 329  
United States, it is inappropriate and contrary to the public 330  
safety and welfare of this state for any public official to 331  
encourage, endorse, or otherwise support any public or private 332  
organization that seeks to offer so-called "sanctuary 333  
protection" to persons who are unlawfully present in the United 334  
States. 335

(2) Policies that direct state or local employees not to 336  
cooperate with federal immigration authorities or that protect 337  
persons who are unlawfully present in the United States are 338  
contrary to federal law, the interests of this state, and the 339  
safety and welfare of the people of this state. 340

(3) The provisions of this act are necessary to ensure 341  
consistency and fairness in the enforcement of the laws of this 342  
state. 343

<u>(4) The subject of this act is a matter of statewide</u>	344
<u>concern.</u>	345
<b>Sec. 5747.502.</b> (A) As used in this section:	346
(1) "Local authority" and "traffic law photo-monitoring device" have the same meanings as in section 4511.092 of the Revised Code.	347 348 349
(2) "School zone" has the same meaning as in section 4511.21 of the Revised Code.	350 351
(3) "Transportation district" means a territorial district established by the director of transportation under section 5501.14 of the Revised Code.	352 353 354
(4) "District deputy director" means the person appointed and assigned by the director of transportation under section 5501.14 of the Revised Code to administer the activities of a transportation district.	355 356 357 358
(5) "Gross amount" means the entire amount of traffic camera fines and fees paid by a driver.	359 360
(6) "Local government fund adjustment" or "LGF adjustment" means the sum of:	361 362
(a) The gross amount of all traffic camera fines collected by a local authority during the preceding fiscal year, as reported under division (B)(1) of this section, if such a report is required; plus	363 364 365 366
(b) The residual adjustment computed for the local authority under division (B)(4) of this section, if such an adjustment applies.	367 368 369
(7) "Local government fund payments" or "LGF payments"	370

means the payments a local authority would receive under 371  
sections ~~5747.502~~5747.503, 5747.51, and 5747.53, and division 372  
(C) of section 5747.50 of the Revised Code, as applicable, if 373  
not for the reductions required by divisions (C) ~~and~~, (D), and 374  
(E) of this section. 375

(8) "Residual adjustment" means the most recent LGF 376  
adjustment computed for a local authority under division (B) (2) 377  
or (3) of this section minus the sum of the reductions applied 378  
after that computation under division (C) of this section to the 379  
local authority's LGF payments. 380

(9) "Traffic camera fines" means civil fines for any 381  
violation of any local ordinance or resolution that are based 382  
upon evidence recorded by a traffic law photo-monitoring device. 383

(10) "Qualifying village" has the same meaning as in 384  
section 5747.503 of the Revised Code. 385

(B) (1) Annually, on or before the thirty-first day of 386  
July, any local authority that directly or indirectly collected 387  
traffic camera fines during the preceding fiscal year shall file 388  
a report with the tax commissioner that includes a detailed 389  
statement of the gross amount of all traffic camera fines the 390  
local authority collected during that period and the gross 391  
amount of such fines that the local authority collected for 392  
violations that occurred within a school zone. 393

(2) Annually, on or before the tenth day of August, the 394  
commissioner shall compute a local government fund adjustment 395  
for each local authority that files a report under division (B) 396  
(1) of this section or with respect to which a residual 397  
adjustment applies. Subject to ~~division~~divisions (B) (3) and (K) 398  
of this section, the LGF adjustment shall be used by the 399

commissioner to determine the amount of the reductions required 400  
under division (C) of this section for each of the next twelve 401  
months, starting with the month in which the LGF adjustment is 402  
computed. After those twelve months, the LGF adjustment ceases 403  
to apply and, if an LGF adjustment continues to be required, the 404  
amount of the reductions required under division (C) of this 405  
section shall be determined based on an updated LGF adjustment 406  
computed under this division. 407

(3) Upon receipt of a report described by division (B) (1) 408  
of this section that is not timely filed, the commissioner shall 409  
do both of the following: 410

(a) If one or more payments to the local authority has 411  
been withheld under division (D) of this section because of the 412  
local authority's failure to file the report, notify the county 413  
auditor and county treasurer of the appropriate county that the 414  
report has been received and that, subject to ~~division~~divisions 415  
(C) and (F) of this section, payments to the local authority 416  
from the undivided local government fund are to resume. 417

(b) Compute the local authority's LGF adjustment using the 418  
information in the report. An LGF adjustment computed under this 419  
division shall be used by the commissioner to determine the 420  
amount of the reductions required under division (C) of this 421  
section starting with the next required reduction. The LGF 422  
adjustment ceases to apply on the thirty-first day of the 423  
ensuing July, following which, if an LGF adjustment continues to 424  
be required, the amount of the reductions required under 425  
division (C) of this section shall be determined based on an 426  
updated LGF adjustment computed under division (B) (2) of this 427  
section. 428

(4) Annually, on or before the tenth day of August, the 429

commissioner shall compute a residual adjustment for each local 430  
authority whose LGF adjustment for the preceding year exceeds 431  
the amount by which the local authority's LGF payments were 432  
reduced during that year under division (C) of this section. The 433  
residual adjustment shall be used to compute the LGF adjustment 434  
for the ensuing year under division (B)(2) of this section. 435

(C) The Subject to division (K) of this section, the 436  
commissioner shall do the following, as applicable, respecting 437  
any local authority to which an LGF adjustment computed under 438  
division (B) of this section applies: 439

(1) If the local authority is a municipal corporation with 440  
a population of one thousand or more, reduce payments to the 441  
municipal corporation under division (C) of section 5747.50 of 442  
the Revised Code by one-twelfth of the LGF adjustment. If one- 443  
twelfth of the LGF adjustment exceeds the amount of money the 444  
municipal corporation would otherwise receive under division (C) 445  
of section 5747.50 of the Revised Code, the commissioner also 446  
shall reduce payments to the appropriate county undivided local 447  
government fund under division (B) of section 5747.50 of the 448  
Revised Code by an amount equal to the lesser of (a) one-twelfth 449  
of the excess, or (b) the amount of the payment the municipal 450  
corporation would otherwise receive from the fund under section 451  
5747.51 or 5747.53 of the Revised Code. 452

(2) If the local authority is a township or qualifying 453  
village, reduce the supplemental payments to the appropriate 454  
county undivided local government fund under section 5747.503 of 455  
the Revised Code by the lesser of one-twelfth of the LGF 456  
adjustment, or the amount of money the township or qualifying 457  
village would otherwise receive under that section. If one- 458  
twelfth of the LGF adjustment exceeds the amount of money the 459



township or qualifying village would otherwise receive under 460  
section 5747.503 of the Revised Code, the commissioner also 461  
shall reduce payments to the appropriate county undivided local 462  
government fund under division (B) of section 5747.50 of the 463  
Revised Code by an amount equal to the lesser of (a) one-twelfth 464  
of the excess, or (b) the amount of the payment the township or 465  
qualifying village would otherwise receive from the fund under 466  
section 5747.51 or 5747.53 of the Revised Code. 467

(3) If the local authority is a county, reduce payments to 468  
the appropriate county undivided local government fund under 469  
division (B) of section 5747.50 of the Revised Code by an amount 470  
equal to the lesser of (a) one-twelfth of the LGF adjustment, or 471  
(b) the amount of the payment the county would otherwise receive 472  
from the fund under section 5747.51 or 5747.53 of the Revised 473  
Code. 474

(4) For any local authority, on or before the tenth day of 475  
each month a reduction is made under division (C) (1), (2), or 476  
(3) of this section, make a payment to the local authority in an 477  
amount equal to the lesser of (a) one-twelfth of the gross 478  
amount of traffic camera fines the local authority collected in 479  
the preceding fiscal year for violations that occurred within a 480  
school zone, as indicated on the report filed by the local 481  
authority pursuant to division (B) (1) of this section, or (b) 482  
the amount by which the local authority's LGF payments were 483  
reduced that month pursuant to division (C) (1), (2), or (3) of 484  
this section. Payments received by a local authority under this 485  
division shall be used by the local authority for school safety 486  
purposes. 487

(D) ~~Upon~~ Subject to division (K) of this section, upon 488  
discovery, based on information in the commissioner's 489

possession, that a local authority required to file a report 490  
under division (B) (1) of this section has failed to do so, the 491  
commissioner shall do the following, as applicable: 492

(1) If the local authority is a municipal corporation with 493  
a population of one thousand or more, cease providing for 494  
payments to the municipal corporation under section 5747.50 of 495  
the Revised Code beginning with the next required payment and 496  
until such time as the report is received by the commissioner; 497

(2) If the local authority is a township or qualifying 498  
village, reduce the supplemental payments to the appropriate 499  
county undivided local government fund under section 5747.503 of 500  
the Revised Code by an amount equal to the amount of such 501  
payments the local authority would otherwise receive under that 502  
section, beginning with the next required payment and until such 503  
time as the report is received by the commissioner; 504

(3) For any local authority, reduce payments to the 505  
appropriate county undivided local government fund under 506  
division (B) of section 5747.50 of the Revised Code by an amount 507  
equal to the amount of such payments the local authority would 508  
otherwise receive under section 5747.51 or 5747.53 of the 509  
Revised Code, beginning with the next required payment and until 510  
such time as the report is received by the commissioner; 511

(4) For any local authority, notify the county auditor and 512  
county treasurer that such payments are to cease until the 513  
commissioner notifies the auditor and treasurer under division 514  
(E) of this section that the payments are to resume. 515

(E) The commissioner shall notify the county auditor and 516  
county treasurer on or before the day the commissioner first 517  
reduces a county undivided local government fund payment to that 518

county under division (C) of this section. The notice shall 519  
include the full amount of the reduction, a list of the local 520  
authorities to which the reduction applies, and the amount of 521  
reduction attributed to each such local authority. The 522  
commissioner shall send an updated notice to the county auditor 523  
and county treasurer any time the amount the reduction 524  
attributed to any local authority changes. 525

(F) Upon receiving notification from the director of 526  
public safety that a local authority is not in compliance with 527  
the requirements of section 9.631 of the Revised Code and, 528  
pursuant to section 9.632 of the Revised Code, is ineligible to 529  
receive local government fund payments, the commissioner shall 530  
do the following, as applicable: 531

(1) If the local authority is a municipal corporation with 532  
a population of one thousand or more, cease providing for 533  
payments to the municipal corporation under section 5747.50 of 534  
the Revised Code beginning with the next required payment and 535  
until such time as the director notifies the commissioner that 536  
the local authority is no longer ineligible to receive local 537  
government fund payments; 538

(2) If the local authority is a township or qualifying 539  
village, reduce the supplemental payments to the appropriate 540  
county undivided local government fund under section 5747.503 of 541  
the Revised Code by an amount equal to the amount of such 542  
payments the local authority would otherwise receive under that 543  
section, beginning with the next required payment and until such 544  
time as the director notifies the commissioner that the local 545  
authority is no longer ineligible to receive local government 546  
fund payments; 547

(3) For any local authority, reduce payments to the 548

appropriate county undivided local government fund under 549  
division (B) of section 5747.50 of the Revised Code by an amount 550  
equal to the amount of such payments the local authority would 551  
otherwise receive under section 5747.51 or 5747.53 of the 552  
Revised Code, beginning with the next required payment and until 553  
such time as the director notifies the commissioner that the 554  
local authority is no longer ineligible to receive local 555  
government fund payments; 556

(4) For any local authority, notify the county auditor and 557  
county treasurer that all local government fund payments to the 558  
local authority are to cease beginning with the next required 559  
payment and until the commissioner notifies the auditor and 560  
treasurer that the payments are to resume. 561

(G) If the commissioner, pursuant to division (F) (4) of 562  
this section, directs a county auditor and county treasurer to 563  
cease all local government fund payments to a local authority, 564  
the commissioner shall notify that county auditor and county 565  
treasurer when the local authority is no longer ineligible to 566  
receive local government fund payments under section 9.632 of 567  
the Revised Code and, subject to divisions (C) and (D) of this 568  
section, that payments to the local authority from the undivided 569  
local government fund are to resume. 570

(H) A county treasurer that receives a notice from the 571  
commissioner under ~~this division or~~ division (B) (3) (a) ~~or~~, (D) 572  
(4), (E), (F) (4), or (G) of this section shall reduce, cease, or 573  
resume payments from the undivided local government fund to the 574  
local authority that is the subject of the notice as specified 575  
by the commissioner in the notice. Unless otherwise specified in 576  
the notice, the payments shall be reduced, ceased, or resumed 577  
beginning with the next required payment. 578

~~(F)-(I)~~ There is hereby created in the state treasury the 579  
Ohio highway and transportation safety fund. On or before the 580  
tenth day of each month, the commissioner shall deposit in the 581  
fund an amount equal to the total amount by which payments to 582  
local authorities were reduced or ceased under division (C) or 583  
(D) of this section minus the total amount of payments made 584  
under division (C) (4) of this section. The amount deposited with 585  
respect to a local authority shall be credited to an account to 586  
be created in the fund for the transportation district in which 587  
that local authority is located. If the local authority is 588  
located within more than one transportation district, the amount 589  
credited to the account of each such transportation district 590  
shall be prorated on the basis of the number of centerline miles 591  
of public roads and highways in both the local authority and the 592  
respective districts. Amounts credited to a transportation 593  
district's account shall be used by the department of 594  
transportation and the district deputy director exclusively to 595  
enhance public safety on public roads and highways within that 596  
transportation district. 597

(J) On or before the tenth day of each month, the 598  
commissioner shall deposit amounts withheld from a local 599  
authority under divisions (F) (1), (2), and (3) of this section 600  
to the general revenue fund. 601

(K) If division (F) of this section and division (C) or 602  
(D) of this section apply at the same time to the same local 603  
authority, the commissioner shall proceed as described in 604  
divisions (F) and (J) and not under divisions (C), (D), and (I) 605  
of this section until division (F) of this section no longer 606  
applies. 607

**Section 2.** That existing sections 9.63 and 5747.502 of the 608

Revised Code are hereby repealed. 609

**Section 3.** If any provision of this act or the application 610  
of this act to any person or circumstance is held invalid, that 611  
invalidity does not affect any other provisions or applications 612  
of this act that can be given effect without the invalid 613  
provision or application. 614

**Section 4.** This act is declared to be an emergency measure 615  
necessary for the immediate preservation of the public peace, 616  
health, and safety. The reason for that necessity is that 617  
government policies that prohibit cooperation with federal 618  
authorities in the enforcement of immigration laws endanger the 619  
public safety and welfare. Therefore, this act shall go into 620  
immediate effect. 621