

As Concurred by the House

134th General Assembly

Regular Session

2021-2022

Am. Sub. H. B. No. 45

Representatives West, Roemer

Cosponsors: Representatives Riedel, Miranda, Weinstein, Manning, Lanese, Crawley, Smith, K., Ingram, Miller, J., Crossman, Lightbody, Leland, Sobecki, Blackshear, Boyd, Brent, Carruthers, Click, Galonski, Ghanbari, Gross, Hicks-Hudson, Jarrells, Lampton, Lepore-Hagan, Miller, K., O'Brien, Oelslager, Patton, Pavliga, Russo, Schmidt, Sheehy, Smith, M., Swearingen, Sweeney, Sykes, Upchurch, Young, T., Zeltwanger

Senators Brenner, Antonio, Cirino, Craig, Gavarone, Hackett, Hoagland, Hottinger, Huffman, S., Johnson, Lang, Maharath, Manning, Reineke, Rulli, Thomas, Yuko

A BILL

To amend sections 102.01, 121.22, 124.134, 149.311, 1
149.43, 173.501, 307.6910, 1710.02, 2101.16, 2
2915.092, 3310.70, 3317.0212, 3333.051, 3
3505.183, 3509.05, 3781.1010, 3929.43, 4503.591, 4
4509.70, 5104.30, 5104.31, 5104.32, 5104.38, 5
5165.36, 5301.36, 5713.03, 5721.03, 5747.01, and 6
5747.98; to enact sections 3333.128, 3955.061, 7
3956.061, 5101.19, 5101.191, 5101.192, 5101.193, 8
5101.194, and 5104.37; and to repeal section 9
5747.37 of the Revised Code and to amend 10
Sections 265.220, 307.270, 343.30, and 701.70 of 11
H.B. 110 of the 134th General Assembly, Sections 12
219.10 as subsequently amended, 221.10 as 13
subsequently amended, 221.13 as subsequently 14
amended, and 237.13 as subsequently amended of 15
H.B. 597 of the 134th General Assembly, and 16
Sections 207.15, 221.10, 221.13, 223.10, 223.15, 17
237.10, and 237.13 of H.B. 687 of the 134th 18

General Assembly and to repeal Section 715.20 of 19
H.B. 110 of the 134th General Assembly to make 20
appropriations and to provide authorization and 21
conditions for the operation of state programs. 22

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

Section 101.01. That sections 102.01, 121.22, 124.134, 23
149.311, 149.43, 173.501, 307.6910, 1710.02, 2101.16, 2915.092, 24
3310.70, 3317.0212, 3333.051, 3505.183, 3509.05, 3781.1010, 25
3929.43, 4503.591, 4509.70, 5104.30, 5104.31, 5104.32, 5104.38, 26
5165.36, 5301.36, 5713.03, 5721.03, 5747.01, and 5747.98 be 27
amended and sections 3333.128, 3955.061, 3956.061, 5101.19, 28
5101.191, 5101.192, 5101.193, 5101.194, and 5104.37 of the 29
Revised Code be enacted to read as follows: 30

Sec. 102.01. As used in this chapter: 31

(A) "Compensation" means money, thing of value, or 32
financial benefit. "Compensation" does not include reimbursement 33
for actual and necessary expenses incurred in the performance of 34
official duties. 35

(B) "Public official or employee" means any person who is 36
elected or appointed to an office or is an employee of any 37
public agency. "Public official or employee" does not include a- 38
any of the following: 39

(1) A person elected or appointed to the office of 40
precinct, ward, or district committee member under section 41
3517.03 of the Revised Code, any presidential elector, or any 42
delegate to a national convention. ~~"Public official or employee"~~ 43

~~does not include a;~~ 44

(2) A person who is a teacher, instructor, professor, or 45
other kind of educator whose position does not involve the 46
performance of, or authority to perform, administrative or 47
supervisory functions; 48

(3) An officer, member, or director of an existing 49
qualified nonprofit corporation that creates a special 50
improvement district under Chapter 1710. of the Revised Code, or 51
such a person's designee or proxy, when the person is not acting 52
in that role with respect to a purpose for which the district is 53
created. 54

(C) (1) "Public agency" means the general assembly, all 55
courts, any department, division, institution, board, 56
commission, authority, bureau or other instrumentality of the 57
state, a county, city, village, or township, the five state 58
retirement systems, or any other governmental entity. 59

(2) Notwithstanding any contrary provision of division (C) 60
(3) (a) of this section, "public agency" includes a regional 61
council of governments established under Chapter 167. of the 62
Revised Code. 63

(3) "Public agency" does not include ~~either any~~ of the 64
following: 65

(a) A department, division, institution, board, 66
commission, authority, or other instrumentality of the state or 67
a county, municipal corporation, township, or other governmental 68
entity that functions exclusively for cultural, educational, 69
historical, humanitarian, advisory, or research purposes; that 70
does not expend more than ten thousand dollars per calendar 71
year, excluding salaries and wages of employees; and whose 72

members are uncompensated;	73
(b) The nonprofit corporation formed under section 187.01 of the Revised Code;	74 75
<u>(c) An existing qualified nonprofit corporation that creates a special improvement district under Chapter 1710. of the Revised Code, when the corporation is not acting with respect to a purpose for which the district is created.</u>	76 77 78 79
(D) "Immediate family" means a spouse residing in the person's household and any dependent child.	80 81
(E) "Income" includes gross income as defined and used in the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended, interest and dividends on obligations or securities of any state or of any political subdivision or authority of any state or political subdivision, and interest or dividends on obligations of any authority, commission, or instrumentality of the United States.	82 83 84 85 86 87 88
(F) Except as otherwise provided in division (A) of section 102.08 of the Revised Code, "appropriate ethics commission" means:	89 90 91
(1) For matters relating to members of the general assembly, employees of the general assembly, employees of the legislative service commission, and candidates for the office of member of the general assembly, the joint legislative ethics committee;	92 93 94 95 96
(2) For matters relating to judicial officers and employees, and candidates for judicial office, the board of commissioners on grievances and discipline of the supreme court;	97 98 99
(3) For matters relating to all other persons, the Ohio	100

ethics commission.	101
(G) "Anything of value" has the same meaning as provided	102
in section 1.03 of the Revised Code and includes, but is not	103
limited to, a contribution as defined in section 3517.01 of the	104
Revised Code.	105
(H) "Honorarium" means any payment made in consideration	106
for any speech given, article published, or attendance at any	107
public or private conference, convention, meeting, social event,	108
meal, or similar gathering. "Honorarium" does not include	109
ceremonial gifts or awards that have insignificant monetary	110
value; unsolicited gifts of nominal value or trivial items of	111
informational value; or earned income from any person, other	112
than a legislative agent, for personal services that are	113
customarily provided in connection with the practice of a bona	114
fide business, if that business initially began before the	115
public official or employee conducting that business was elected	116
or appointed to the public official's or employee's office or	117
position of employment.	118
(I) "Employer" means any person who, directly or	119
indirectly, engages an executive agency lobbyist or legislative	120
agent.	121
(J) "Executive agency decision," "executive agency	122
lobbyist," and "executive agency lobbying activity" have the	123
same meanings as in section 121.60 of the Revised Code.	124
(K) "Legislation," "legislative agent," "financial	125
transaction," and "actively advocate" have the same meanings as	126
in section 101.70 of the Revised Code.	127
(L) "Expenditure" has the same meaning as in section	128
101.70 of the Revised Code when used in relation to activities	129

of a legislative agent, and the same meaning as in section 130
121.60 of the Revised Code when used in relation to activities 131
of an executive agency lobbyist. 132

Sec. 121.22. (A) This section shall be liberally construed 133
to require public officials to take official action and to 134
conduct all deliberations upon official business only in open 135
meetings unless the subject matter is specifically excepted by 136
law. 137

(B) As used in this section: 138

(1) "Public body" means any of the following: 139

(a) Any board, commission, committee, council, or similar 140
decision-making body of a state agency, institution, or 141
authority, and any legislative authority or board, commission, 142
committee, council, agency, authority, or similar decision- 143
making body of any county, township, municipal corporation, 144
school district, or other political subdivision or local public 145
institution; 146

(b) Any committee or subcommittee of a body described in 147
division (B) (1) (a) of this section; 148

(c) A court of jurisdiction of a sanitary district 149
organized wholly for the purpose of providing a water supply for 150
domestic, municipal, and public use when meeting for the purpose 151
of the appointment, removal, or reappointment of a member of the 152
board of directors of such a district pursuant to section 153
6115.10 of the Revised Code, if applicable, or for any other 154
matter related to such a district other than litigation 155
involving the district. As used in division (B) (1) (c) of this 156
section, "court of jurisdiction" has the same meaning as "court" 157
in section 6115.01 of the Revised Code. 158

(2) "Meeting" means any prearranged discussion of the	159
public business of the public body by a majority of its members.	160
(3) "Regulated individual" means either of the following:	161
(a) A student in a state or local public educational	162
institution;	163
(b) A person who is, voluntarily or involuntarily, an	164
inmate, patient, or resident of a state or local institution	165
because of criminal behavior, mental illness, an intellectual	166
disability, disease, disability, age, or other condition	167
requiring custodial care.	168
(4) "Public office" has the same meaning as in section	169
149.011 of the Revised Code.	170
(C) All meetings of any public body are declared to be	171
public meetings open to the public at all times. A member of a	172
public body shall be present in person at a meeting open to the	173
public to be considered present or to vote at the meeting and	174
for purposes of determining whether a quorum is present at the	175
meeting.	176
The minutes of a regular or special meeting of any public	177
body shall be promptly prepared, filed, and maintained and shall	178
be open to public inspection. The minutes need only reflect the	179
general subject matter of discussions in executive sessions	180
authorized under division (G) or (J) of this section.	181
(D) This section does not apply to any of the following:	182
(1) A grand jury;	183
(2) An audit conference conducted by the auditor of state	184
or independent certified public accountants with officials of	185
the public office that is the subject of the audit;	186

(3) The adult parole authority when its hearings are	187
conducted at a correctional institution for the sole purpose of	188
interviewing inmates to determine parole or pardon and the	189
department of rehabilitation and correction when its hearings	190
are conducted at a correctional institution for the sole purpose	191
of making determinations under section 2967.271 of the Revised	192
Code regarding the release or maintained incarceration of an	193
offender to whom that section applies;	194
(4) The organized crime investigations commission	195
established under section 177.01 of the Revised Code;	196
(5) Meetings of a child fatality review board established	197
under section 307.621 of the Revised Code, meetings related to a	198
review conducted pursuant to guidelines established by the	199
director of health under section 3701.70 of the Revised Code,	200
and meetings conducted pursuant to sections 5153.171 to 5153.173	201
of the Revised Code;	202
(6) The state medical board when determining whether to	203
suspend a license or certificate without a prior hearing	204
pursuant to division (G) of either section 4730.25 or 4731.22 of	205
the Revised Code;	206
(7) The board of nursing when determining whether to	207
suspend a license or certificate without a prior hearing	208
pursuant to division (B) of section 4723.281 of the Revised	209
Code;	210
(8) The state board of pharmacy when determining whether	211
to do either of the following:	212
(a) Suspend a license, certification, or registration	213
without a prior hearing, including during meetings conducted by	214
telephone conference, pursuant to Chapters 3719., 3796., 4729.,	215

and 4752. of the Revised Code and rules adopted thereunder; or	216
(b) Restrict a person from obtaining further information	217
from the drug database established in section 4729.75 of the	218
Revised Code without a prior hearing pursuant to division (C) of	219
section 4729.86 of the Revised Code.	220
(9) The state chiropractic board when determining whether	221
to suspend a license without a hearing pursuant to section	222
4734.37 of the Revised Code;	223
(10) The executive committee of the emergency response	224
commission when determining whether to issue an enforcement	225
order or request that a civil action, civil penalty action, or	226
criminal action be brought to enforce Chapter 3750. of the	227
Revised Code;	228
(11) The board of directors of the nonprofit corporation	229
formed under section 187.01 of the Revised Code or any committee	230
thereof, and the board of directors of any subsidiary of that	231
corporation or a committee thereof;	232
(12) An audit conference conducted by the audit staff of	233
the department of job and family services with officials of the	234
public office that is the subject of that audit under section	235
5101.37 of the Revised Code;	236
(13) The occupational therapy section of the occupational	237
therapy, physical therapy, and athletic trainers board when	238
determining whether to suspend a license without a hearing	239
pursuant to division (E) of section 4755.11 of the Revised Code;	240
(14) The physical therapy section of the occupational	241
therapy, physical therapy, and athletic trainers board when	242
determining whether to suspend a license without a hearing	243
pursuant to division (F) of section 4755.47 of the Revised Code;	244

(15) The athletic trainers section of the occupational therapy, physical therapy, and athletic trainers board when determining whether to suspend a license without a hearing pursuant to division (E) of section 4755.64 of the Revised Code;	245 246 247 248
(16) Meetings of the pregnancy-associated mortality review board established under section 3738.01 of the Revised Code;	249 250
(17) Meetings of a fetal-infant mortality review board established under section 3707.71 of the Revised Code;	251 252
(18) Meetings of a drug overdose fatality review committee described in section 307.631 of the Revised Code;	253 254
(19) Meetings of a suicide fatality review committee described in section 307.641 of the Revised Code;	255 256
<u>(20) Meetings of the officers, members, or directors of an existing qualified nonprofit corporation that creates a special improvement district under Chapter 1710. of the Revised Code, at which the public business of the corporation pertaining to a purpose for which the district is created is not discussed.</u>	257 258 259 260 261
(E) The controlling board, the tax credit authority, or the minority development financing advisory board, when meeting to consider granting assistance pursuant to Chapter 122. or 166. of the Revised Code, in order to protect the interest of the applicant or the possible investment of public funds, by unanimous vote of all board or authority members present, may close the meeting during consideration of the following information confidentially received by the authority or board from the applicant:	262 263 264 265 266 267 268 269 270
(1) Marketing plans;	271
(2) Specific business strategy;	272

(3) Production techniques and trade secrets;	273
(4) Financial projections;	274
(5) Personal financial statements of the applicant or members of the applicant's immediate family, including, but not limited to, tax records or other similar information not open to public inspection.	275 276 277 278
The vote by the authority or board to accept or reject the application, as well as all proceedings of the authority or board not subject to this division, shall be open to the public and governed by this section.	279 280 281 282
(F) Every public body, by rule, shall establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings. A public body shall not hold a special meeting unless it gives at least twenty-four hours' advance notice to the news media that have requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the member or members calling the meeting shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting.	283 284 285 286 287 288 289 290 291 292 293
The rule shall provide that any person, upon request and payment of a reasonable fee, may obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. Provisions for advance notification may include, but are not limited to, mailing the agenda of meetings to all subscribers on a mailing list or mailing notices in self-addressed, stamped envelopes provided by the person.	294 295 296 297 298 299 300 301

(G) Except as provided in divisions (G) (8) and (J) of this section, the members of a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (G) (1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G) (1) of this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.

(2) To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use division (G) (2)

of this section as a subterfuge for providing covert information 333
to prospective buyers or sellers. A purchase or sale of public 334
property is void if the seller or buyer of the public property 335
has received covert information from a member of a public body 336
that has not been disclosed to the general public in sufficient 337
time for other prospective buyers and sellers to prepare and 338
submit offers. 339

If the minutes of the public body show that all meetings 340
and deliberations of the public body have been conducted in 341
compliance with this section, any instrument executed by the 342
public body purporting to convey, lease, or otherwise dispose of 343
any right, title, or interest in any public property shall be 344
conclusively presumed to have been executed in compliance with 345
this section insofar as title or other interest of any bona fide 346
purchasers, lessees, or transferees of the property is 347
concerned. 348

(3) Conferences with an attorney for the public body 349
concerning disputes involving the public body that are the 350
subject of pending or imminent court action; 351

(4) Preparing for, conducting, or reviewing negotiations 352
or bargaining sessions with public employees concerning their 353
compensation or other terms and conditions of their employment; 354

(5) Matters required to be kept confidential by federal 355
law or regulations or state statutes; 356

(6) Details relative to the security arrangements and 357
emergency response protocols for a public body or a public 358
office, if disclosure of the matters discussed could reasonably 359
be expected to jeopardize the security of the public body or 360
public office; 361

(7) In the case of a county hospital operated pursuant to 362
Chapter 339. of the Revised Code, a joint township hospital 363
operated pursuant to Chapter 513. of the Revised Code, or a 364
municipal hospital operated pursuant to Chapter 749. of the 365
Revised Code, to consider trade secrets, as defined in section 366
1333.61 of the Revised Code; 367

(8) To consider confidential information related to the 368
marketing plans, specific business strategy, production 369
techniques, trade secrets, or personal financial statements of 370
an applicant for economic development assistance, or to 371
negotiations with other political subdivisions respecting 372
requests for economic development assistance, provided that both 373
of the following conditions apply: 374

(a) The information is directly related to a request for 375
economic development assistance that is to be provided or 376
administered under any provision of Chapter 715., 725., 1724., 377
or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 378
5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 379
5709.81 of the Revised Code, or that involves public 380
infrastructure improvements or the extension of utility services 381
that are directly related to an economic development project. 382

(b) A unanimous quorum of the public body determines, by a 383
roll call vote, that the executive session is necessary to 384
protect the interests of the applicant or the possible 385
investment or expenditure of public funds to be made in 386
connection with the economic development project. 387

If a public body holds an executive session to consider 388
any of the matters listed in divisions (G)(2) to (8) of this 389
section, the motion and vote to hold that executive session 390
shall state which one or more of the approved matters listed in 391

those divisions are to be considered at the executive session. 392

A public body specified in division (B) (1) (c) of this 393
section shall not hold an executive session when meeting for the 394
purposes specified in that division. 395

(H) A resolution, rule, or formal action of any kind is 396
invalid unless adopted in an open meeting of the public body. A 397
resolution, rule, or formal action adopted in an open meeting 398
that results from deliberations in a meeting not open to the 399
public is invalid unless the deliberations were for a purpose 400
specifically authorized in division (G) or (J) of this section 401
and conducted at an executive session held in compliance with 402
this section. A resolution, rule, or formal action adopted in an 403
open meeting is invalid if the public body that adopted the 404
resolution, rule, or formal action violated division (F) of this 405
section. 406

(I) (1) Any person may bring an action to enforce this 407
section. An action under division (I) (1) of this section shall 408
be brought within two years after the date of the alleged 409
violation or threatened violation. Upon proof of a violation or 410
threatened violation of this section in an action brought by any 411
person, the court of common pleas shall issue an injunction to 412
compel the members of the public body to comply with its 413
provisions. 414

(2) (a) If the court of common pleas issues an injunction 415
pursuant to division (I) (1) of this section, the court shall 416
order the public body that it enjoins to pay a civil forfeiture 417
of five hundred dollars to the party that sought the injunction 418
and shall award to that party all court costs and, subject to 419
reduction as described in division (I) (2) of this section, 420
reasonable attorney's fees. The court, in its discretion, may 421

reduce an award of attorney's fees to the party that sought the 422
injunction or not award attorney's fees to that party if the 423
court determines both of the following: 424

(i) That, based on the ordinary application of statutory 425
law and case law as it existed at the time of violation or 426
threatened violation that was the basis of the injunction, a 427
well-informed public body reasonably would believe that the 428
public body was not violating or threatening to violate this 429
section; 430

(ii) That a well-informed public body reasonably would 431
believe that the conduct or threatened conduct that was the 432
basis of the injunction would serve the public policy that 433
underlies the authority that is asserted as permitting that 434
conduct or threatened conduct. 435

(b) If the court of common pleas does not issue an 436
injunction pursuant to division (I)(1) of this section and the 437
court determines at that time that the bringing of the action 438
was frivolous conduct, as defined in division (A) of section 439
2323.51 of the Revised Code, the court shall award to the public 440
body all court costs and reasonable attorney's fees, as 441
determined by the court. 442

(3) Irreparable harm and prejudice to the party that 443
sought the injunction shall be conclusively and irrebuttably 444
presumed upon proof of a violation or threatened violation of 445
this section. 446

(4) A member of a public body who knowingly violates an 447
injunction issued pursuant to division (I)(1) of this section 448
may be removed from office by an action brought in the court of 449
common pleas for that purpose by the prosecuting attorney or the 450

attorney general. 451

(J) (1) Pursuant to division (C) of section 5901.09 of the 452
Revised Code, a veterans service commission shall hold an 453
executive session for one or more of the following purposes 454
unless an applicant requests a public hearing: 455

(a) Interviewing an applicant for financial assistance 456
under sections 5901.01 to 5901.15 of the Revised Code; 457

(b) Discussing applications, statements, and other 458
documents described in division (B) of section 5901.09 of the 459
Revised Code; 460

(c) Reviewing matters relating to an applicant's request 461
for financial assistance under sections 5901.01 to 5901.15 of 462
the Revised Code. 463

(2) A veterans service commission shall not exclude an 464
applicant for, recipient of, or former recipient of financial 465
assistance under sections 5901.01 to 5901.15 of the Revised 466
Code, and shall not exclude representatives selected by the 467
applicant, recipient, or former recipient, from a meeting that 468
the commission conducts as an executive session that pertains to 469
the applicant's, recipient's, or former recipient's application 470
for financial assistance. 471

(3) A veterans service commission shall vote on the grant 472
or denial of financial assistance under sections 5901.01 to 473
5901.15 of the Revised Code only in an open meeting of the 474
commission. The minutes of the meeting shall indicate the name, 475
address, and occupation of the applicant, whether the assistance 476
was granted or denied, the amount of the assistance if 477
assistance is granted, and the votes for and against the 478
granting of assistance. 479

Sec. 124.134. (A) Each full-time permanent state employee 480
paid in accordance with section 124.152 of the Revised Code and 481
those employees listed in divisions (B) (2) and (4) of section 482
124.14 of the Revised Code shall be credited with vacation leave 483
with full pay according to length of service and accruing at a 484
corresponding rate per biweekly pay period, as follows: 485

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A	Length of Service Per Pay Period	Accrual Rate
B	Less than 4 years	3.1 hours
C	4 but less than 9 years	4.6 hours
D	9 but less than 14 years	6.2 hours
E	14 but less than 19 years	6.9 hours
F	19 but less than 24 years	7.7 hours
G	24 years or more	9.2 hours

Fifty-two weeks equal one year of service. 487

The amount of an employee's service shall be determined in 488
accordance with the standard specified in section 9.44 of the 489
Revised Code. Credit for prior service, including an increased 490
vacation accrual rate and longevity supplement, shall take 491
effect during the first pay period that begins immediately 492
following the date the director of administrative services 493
approves granting credit for that prior service. No employee, 494

other than an employee who submits proof of prior service within 495
ninety days after the date of the employee's hiring, shall 496
receive any amount of vacation leave for the period prior to the 497
date of the director's approval of the grant of credit for prior 498
service. 499

Part-time permanent employees who are paid in accordance 500
with section 124.152 of the Revised Code and full-time permanent 501
employees subject to this section who are in active pay status 502
for less than eighty hours in a pay period shall earn vacation 503
leave on a prorated basis. The ratio between the hours worked 504
and the vacation hours earned by these classes of employees 505
shall be the same as the ratio between the hours worked and the 506
vacation hours earned by a full-time permanent employee with the 507
same amount of service as provided for in this section. 508

Vacation leave is not available for use until it appears 509
on the employee's earning statement and the compensation 510
described in the earning statement is available to the employee. 511

(B) Employees granted leave under this section shall 512
forfeit their right to take or to be paid for any vacation leave 513
to their credit which is in excess of the accrual for three 514
years. Any excess leave shall be eliminated from the employees' 515
leave balance. 516

(C) Except as provided in division (D) of this section, 517
beginning in fiscal year 2012, an employee may be paid for up to 518
eighty hours of vacation leave each fiscal year if the employee 519
requested and was denied the use of vacation leave during that 520
fiscal year. No employee shall receive payment for more than 521
eighty hours of denied vacation leave in a single fiscal year. 522
An employee is only eligible to receive payment for vacation 523
leave when the employee's vacation leave credit is at, or will 524

reach in the immediately following pay period, the maximum of 525
the accrual for three years and the employee has been denied the 526
use of vacation leave. An employee is not entitled to receive 527
payment for vacation leave denied in any pay period in which the 528
employee's vacation leave credit is not at, or will not reach in 529
the immediately following pay period, the maximum of accrual for 530
three years. Any vacation leave for which an employee receives 531
payment shall be deducted from the employee's vacation leave 532
balance. No employee is eligible to receive payment for denied 533
vacation leave in either fiscal year 2010 or fiscal year 2011. 534

(D) The supreme court, general assembly, secretary of 535
state, auditor of state, treasurer of state, and attorney 536
general may establish by policy an alternate payment structure 537
for employees whose vacation leave credit is at, or will reach 538
in the immediately following pay period, the maximum of accrual 539
for three years and the employee has been denied the use of 540
vacation leave. An employee is not entitled to receive payment 541
for vacation leave denied in any pay period in which the 542
employee's vacation leave credit is not at, or will not reach in 543
the immediately following pay period, the maximum of accrual for 544
three years. Any vacation leave for which the employee receives 545
payment shall be deducted from the employee's vacation leave 546
balance. 547

(E) Except as otherwise provided in this division, upon 548
separation from state service, an employee granted leave under 549
this section is entitled to compensation at the employee's 550
current rate of pay for all unused vacation leave accrued under 551
this section or section 124.13 of the Revised Code to the 552
employee's credit. An employee who separates from state service 553
with less than twelve months of total state service is not 554
entitled to compensation for unused accrued vacation leave. In 555

case of transfer of an employee from one state agency to 556
another, the employee shall retain the unused accrued vacation 557
leave. In case of the death of an employee, the unused accrued 558
vacation leave shall be paid in accordance with section 2113.04 559
of the Revised Code, or to the employee's estate. An employee 560
serving in a temporary work level who is eligible to receive 561
compensation under this division shall be compensated at the 562
base rate of pay of the employee's normal classification. 563

(F) (1) Except as provided in division (G) of this section, 564
beginning in December ~~2019~~2023, and every year thereafter, the 565
director shall allow an eligible full-time or part-time employee 566
who is credited with vacation leave under this section to 567
convert ~~to cash a maximum of forty hours of a portion of the~~ 568
employee's unused accrued vacation leave to cash in accordance 569
with this division. 570

(2) To be eligible for the conversion described in 571
division (F) (1) of this section, an employee shall have not less 572
than ~~two~~ one hundred hours of unused accrued vacation leave 573
available for use on the last day of the first pay period of 574
November in the year that the employee chooses to make the 575
conversion. 576

(3) An employee who has not less than two hundred hours of 577
unused accrued vacation leave available for use on the last day 578
of the first pay period of November in the year that the 579
employee chooses to make the conversion is eligible to convert 580
up to eighty hours of unused accrued vacation leave to cash 581
under division (F) (1) of this section. An employee who has not 582
less than one hundred hours of unused accrued vacation leave 583
available for use on the last day of the first pay period of 584
November in the year that the employee chooses to make the 585

conversion is eligible to convert up to forty hours of unused 586
accrued vacation leave to cash under division (F) (1) of this 587
section. 588

(4) Unused accrued vacation leave converted to cash under 589
division (F) (1) of this section shall be paid to the employee in 590
the first paycheck of December at the base rate of pay for every 591
hour of unused accrued vacation leave that the employee 592
converts. An employee serving in a temporary work level who 593
elects to convert unused accrued vacation leave to cash shall do 594
so at the base rate of pay of the employee's normal 595
classification. 596

~~(4)~~(5) An employee who separates from state service 597
during the year shall not be eligible for the cash benefit 598
provided under division (F) of this section. 599

~~(5)~~(6) The cash benefit set forth in division (F) of this 600
section shall not be subject to contributions to any of the 601
retirement systems, either by the employee or the employer. 602

~~(6)~~(7) The director shall establish procedures to 603
implement this division. The director shall include in the 604
procedures a final date by which an employee must notify the 605
director of the amount of unused accrued vacation leave to be 606
converted to cash. Except as provided in division (B) of this 607
section, an employee's unused accrued vacation leave balance 608
shall automatically carry forward if the employee does not 609
notify the director in accordance with the procedures the 610
director establishes. 611

(G) Division (F) of this section does not apply to 612
employees of the supreme court, the general assembly, the 613
legislative service commission, the secretary of state, the 614

auditor of state, the treasurer of state, or the attorney 615
general unless the supreme court, the general assembly, the 616
legislative service commission, the secretary of state, the 617
auditor of state, the treasurer of state, or the attorney 618
general decides that the employees of those respective entities 619
should be eligible for the opportunity to convert unused accrued 620
vacation leave pursuant to division (F) of this section and 621
notifies the director in writing on or before the first day of 622
October of the calendar year of the decision to make the 623
employees eligible. The first year that these entities may elect 624
to allow to make the employees eligible is ~~2019~~2023. After 625
notifying the director in writing of the decision that employees 626
of those respective entities are eligible, those employees 627
remain eligible until the respective entity notifies the 628
director in writing on or before the first day of October of the 629
calendar year that the employees are ineligible. If any entity 630
notifies the director of a decision that employees of those 631
entities are ineligible during any calendar year, those 632
employees remain ineligible until the entity notifies the 633
director in writing on or before the first day of October of the 634
calendar year that the employees are eligible. This division 635
does not apply to employees defined as public employees under 636
section 4117.01 of the Revised Code. 637

Sec. 149.311. (A) As used in this section: 638

(1) "Historic building" means a building, including its 639
structural components, that is located in this state and that is 640
either individually listed on the national register of historic 641
places under 16 U.S.C. 470a, located in a registered historic 642
district, and certified by the state historic preservation 643
officer as being of historic significance to the district, or is 644
individually listed as an historic landmark designated by a 645

local government certified under 16 U.S.C. 470a(c). 646

(2) "Qualified rehabilitation expenditures" means 647
expenditures paid or incurred during the rehabilitation period, 648
and before and after that period as determined under 26 U.S.C. 649
47, by an owner or qualified lessee of an historic building to 650
rehabilitate the building. "Qualified rehabilitation 651
expenditures" includes architectural or engineering fees paid or 652
incurred in connection with the rehabilitation, and expenses 653
incurred in the preparation of nomination forms for listing on 654
the national register of historic places. "Qualified 655
rehabilitation expenditures" does not include any of the 656
following: 657

(a) The cost of acquiring, expanding, or enlarging an 658
historic building; 659

(b) Expenditures attributable to work done to facilities 660
related to the building, such as parking lots, sidewalks, and 661
landscaping; 662

(c) New building construction costs. 663

(3) "Owner" of an historic building means a person holding 664
the fee simple interest in the building. "Owner" does not 665
include the state or a state agency, or any political 666
subdivision as defined in section 9.23 of the Revised Code. 667

(4) "Qualified lessee" means a person subject to a lease 668
agreement for an historic building and eligible for the federal 669
rehabilitation tax credit under 26 U.S.C. 47. "Qualified lessee" 670
does not include the state or a state agency or political 671
subdivision as defined in section 9.23 of the Revised Code. 672

(5) "Certificate owner" means the owner or qualified 673
lessee of an historic building to which a rehabilitation tax 674

credit certificate was issued under this section. 675

(6) "Registered historic district" means an historic 676
district listed in the national register of historic places 677
under 16 U.S.C. 470a, an historic district designated by a local 678
government certified under 16 U.S.C. 470a(c), or a local 679
historic district certified under 36 C.F.R. 67.8 and 67.9. 680

(7) "Rehabilitation" means the process of repairing or 681
altering an historic building or buildings, making possible an 682
efficient use while preserving those portions and features of 683
the building and its site and environment that are significant 684
to its historic, architectural, and cultural values. 685

(8) "Rehabilitation period" means one of the following: 686

(a) If the rehabilitation initially was not planned to be 687
completed in stages, a period chosen by the owner or qualified 688
lessee not to exceed twenty-four months during which 689
rehabilitation occurs; 690

(b) If the rehabilitation initially was planned to be 691
completed in stages, a period chosen by the owner or qualified 692
lessee not to exceed sixty months during which rehabilitation 693
occurs. Each stage shall be reviewed as a phase of a 694
rehabilitation as determined under 26 C.F.R. 1.48-12 or a 695
successor to that section. 696

(9) "State historic preservation officer" or "officer" 697
means the state historic preservation officer appointed by the 698
governor under 16 U.S.C. 470a. 699

(10) "Catalytic project" means the rehabilitation of an 700
historic building, the rehabilitation of which will foster 701
economic development within two thousand five hundred feet of 702
the historic building. 703

(B) The owner or qualified lessee of an historic building 704
may apply to the director of development for a rehabilitation 705
tax credit certificate for qualified rehabilitation expenditures 706
paid or incurred by such owner or qualified lessee after April 707
4, 2007, for rehabilitation of an historic building. If the 708
owner of an historic building enters a pass-through agreement 709
with a qualified lessee for the purposes of the federal 710
rehabilitation tax credit under 26 U.S.C. 47, the qualified 711
rehabilitation expenditures paid or incurred by the owner after 712
April 4, 2007, may be attributed to the qualified lessee. 713

The form and manner of filing such applications shall be 714
prescribed by rule of the director. Each application shall state 715
the amount of qualified rehabilitation expenditures the 716
applicant estimates will be paid or incurred and shall indicate 717
whether the historic building was used as a theater before, and 718
is intended to be used as a theater after, the rehabilitation. 719
The director may require applicants to furnish documentation of 720
such estimates. 721

The director, after consultation with the tax commissioner 722
and in accordance with Chapter 119. of the Revised Code, shall 723
adopt rules that establish all of the following: 724

(1) Forms and procedures by which applicants may apply for 725
rehabilitation tax credit certificates; 726

(2) Criteria for reviewing, evaluating, and approving 727
applications for certificates within the limitations under 728
division (D) of this section, criteria for assuring that the 729
certificates issued encompass a mixture of high and low 730
qualified rehabilitation expenditures, and criteria for issuing 731
certificates under division (C) (3) (b) of this section; 732

(3) Eligibility requirements for obtaining a certificate under this section;	733 734
(4) The form of rehabilitation tax credit certificates;	735
(5) Reporting requirements and monitoring procedures;	736
(6) Procedures and criteria for conducting cost-benefit analyses of historic buildings that are the subjects of applications filed under this section. The purpose of a cost-benefit analysis shall be to determine whether rehabilitation of the historic building will result in a net revenue gain in state and local taxes once the building is used.	737 738 739 740 741 742
(7) Any other rules necessary to implement and administer this section.	743 744
(C) The director shall review the applications with the assistance of the state historic preservation officer and determine whether all of the following criteria are met:	745 746 747
(1) That the building that is the subject of the application is an historic building and the applicant is the owner or qualified lessee of the building;	748 749 750
(2) That the rehabilitation will satisfy standards prescribed by the United States secretary of the interior under 16 U.S.C. 470, et seq., as amended, and 36 C.F.R. 67.7 or a successor to that section;	751 752 753 754
(3) That receiving a rehabilitation tax credit certificate under this section is a major factor in:	755 756
(a) The applicant's decision to rehabilitate the historic building; or	757 758
(b) To increase the level of investment in such	759

rehabilitation. 760

(4) The historic building that is the subject of the 761
application is not, and will not upon completion of the 762
rehabilitation project be, part of a qualified low-income 763
housing project allocated a tax credit pursuant to section 42 of 764
the Internal Revenue Code. 765

An applicant shall demonstrate to the satisfaction of the 766
state historic preservation officer and director that the 767
rehabilitation will satisfy the standards described in division 768
(C) (2) of this section before the applicant begins the physical 769
rehabilitation of the historic building. 770

(D) (1) If the director determines that an application 771
meets the criteria in ~~divisions (C) (1), (2), and (3)~~ division 772
(C) of this section, the director shall conduct a cost-benefit 773
analysis for the historic building that is the subject of the 774
application to determine whether rehabilitation of the historic 775
building will result in a net revenue gain in state and local 776
taxes once the building is used. The director shall consider the 777
results of the cost-benefit analysis in determining whether to 778
approve the application. The director shall also consider the 779
potential economic impact and the regional distributive balance 780
of the credits throughout the state. The director may approve an 781
application only after completion of the cost-benefit analysis. 782

(2) A rehabilitation tax credit certificate shall not be 783
issued for an amount greater than the estimated amount furnished 784
by the applicant on the application for such certificate and 785
approved by the director. The director shall not approve more 786
than a total of one hundred twenty million dollars of 787
rehabilitation tax credits for each of fiscal years 2023 and 788
2024, and sixty million dollars of rehabilitation tax credits 789

for each fiscal year thereafter but the director may reallocate 790
unused tax credits from a prior fiscal year for new applicants 791
and such reallocated credits shall not apply toward the dollar 792
limit of this division. 793

(3) For rehabilitations with a rehabilitation period not 794
exceeding twenty-four months as provided in division (A) (8) (a) 795
of this section, a rehabilitation tax credit certificate shall 796
not be issued before the rehabilitation of the historic building 797
is completed. 798

(4) For rehabilitations with a rehabilitation period not 799
exceeding sixty months as provided in division (A) (8) (b) of this 800
section, a rehabilitation tax credit certificate shall not be 801
issued before a stage of rehabilitation is completed. After all 802
stages of rehabilitation are completed, if the director cannot 803
determine that the criteria in division (C) of this section are 804
satisfied for all stages of rehabilitations, the director shall 805
certify this finding to the tax commissioner, and any 806
rehabilitation tax credits received by the applicant shall be 807
repaid by the applicant and may be collected by assessment as 808
unpaid tax by the commissioner. 809

(5) The director shall require the applicant to provide a 810
third-party cost certification by a certified public accountant 811
of the actual costs attributed to the rehabilitation of the 812
historic building when qualified rehabilitation expenditures 813
exceed two hundred thousand dollars. 814

If an applicant whose application is approved for receipt 815
of a rehabilitation tax credit certificate fails to provide to 816
the director sufficient evidence of reviewable progress, 817
including a viable financial plan, copies of final construction 818
drawings, and evidence that the applicant has obtained all 819

historic approvals within twelve months after the date the 820
applicant received notification of approval, and if the 821
applicant fails to provide evidence to the director that the 822
applicant has secured and closed on financing for the 823
rehabilitation within eighteen months after receiving 824
notification of approval, the director may rescind the approval 825
of the application. The director shall notify the applicant if 826
the approval has been rescinded. Credits that would have been 827
available to an applicant whose approval was rescinded shall be 828
available for other qualified applicants. Nothing in this 829
division prohibits an applicant whose approval has been 830
rescinded from submitting a new application for a rehabilitation 831
tax credit certificate. 832

(6) The director may approve the application of, and issue 833
a rehabilitation tax credit certificate to, the owner of a 834
catalytic project, provided the application otherwise meets the 835
criteria described in divisions (C) and (D) of this section. The 836
director may not approve more than one application for a 837
rehabilitation tax credit certificate under division (D)(6) of 838
this section during each state fiscal biennium. The director 839
shall not approve an application for a rehabilitation tax credit 840
certificate under division (D)(6) of this section during the 841
state fiscal biennium beginning July 1, 2017, or during any 842
state fiscal biennium thereafter. The director shall consider 843
the following criteria in determining whether to approve an 844
application for a certificate under division (D)(6) of this 845
section: 846

(a) Whether the historic building is a catalytic project; 847

(b) The effect issuance of the certificate would have on 848
the availability of credits for other applicants that qualify 849

for a credit certificate within the credit dollar limit 850
described in division (D) (2) of this section; 851

(c) The number of jobs, if any, the catalytic project will 852
create. 853

(7) (a) The owner or qualified lessee of a historic 854
building may apply for a rehabilitation tax credit certificate 855
under both divisions (B) and (D) (6) of this section. In such a 856
case, the director shall consider each application at the time 857
the application is submitted. 858

(b) The director shall not issue more than one certificate 859
under this section with respect to the same qualified 860
rehabilitation expenditures. 861

(8) The director shall give consideration for tax credits 862
awarded under this section to rehabilitations of historic 863
buildings used as a theater before, and intended to be used as a 864
theater after, the rehabilitation. In determining whether to 865
approve an application for such a rehabilitation, the director 866
shall consider the extent to which the rehabilitation will 867
increase attendance at the theater and increase the theater's 868
gross revenue. 869

(9) The director shall rescind the approval of any 870
application if the building that is the subject of the 871
application is part of a qualified low-income housing project 872
allocated a tax credit pursuant to section 42 of the Internal 873
Revenue Code at any time before the building's rehabilitation is 874
complete. 875

(E) Issuance of a certificate represents a finding by the 876
director of the matters described in divisions (C) (1), (2), and 877
(3) of this section only; issuance of a certificate does not 878

represent a verification or certification by the director of the 879
amount of qualified rehabilitation expenditures for which a tax 880
credit may be claimed under section 5725.151, 5725.34, 5726.52, 881
5729.17, 5733.47, or 5747.76 of the Revised Code. The amount of 882
qualified rehabilitation expenditures for which a tax credit may 883
be claimed is subject to inspection and examination by the tax 884
commissioner or employees of the commissioner under section 885
5703.19 of the Revised Code and any other applicable law. Upon 886
the issuance of a certificate, the director shall certify to the 887
tax commissioner, in the form and manner requested by the tax 888
commissioner, the name of the applicant, the amount of qualified 889
rehabilitation expenditures shown on the certificate, and any 890
other information required by the rules adopted under this 891
section. 892

(F) (1) On or before the first day of August each year, the 893
director and tax commissioner jointly shall submit to the 894
president of the senate and the speaker of the house of 895
representatives a report on the tax credit program established 896
under this section and sections 5725.151, 5725.34, 5726.52, 897
5729.17, 5733.47, and 5747.76 of the Revised Code. The report 898
shall present an overview of the program and shall include 899
information on the number of rehabilitation tax credit 900
certificates issued under this section during the preceding 901
fiscal year, an update on the status of each historic building 902
for which an application was approved under this section, the 903
dollar amount of the tax credits granted under sections 904
5725.151, 5725.34, 5726.52, 5729.17, 5733.47, and 5747.76 of the 905
Revised Code, and any other information the director and 906
commissioner consider relevant to the topics addressed in the 907
report. 908

(2) On or before December 1, 2015, the director and tax 909

commissioner jointly shall submit to the president of the senate 910
and the speaker of the house of representatives a comprehensive 911
report that includes the information required by division (F) (1) 912
of this section and a detailed analysis of the effectiveness of 913
issuing tax credits for rehabilitating historic buildings. The 914
report shall be prepared with the assistance of an economic 915
research organization jointly chosen by the director and 916
commissioner. 917

(G) There is hereby created in the state treasury the 918
historic rehabilitation tax credit operating fund. The director 919
is authorized to charge reasonable application and other fees in 920
connection with the administration of tax credits authorized by 921
this section and sections 5725.151, 5725.34, 5726.52, 5729.17, 922
5733.47, and 5747.76 of the Revised Code. Any such fees 923
collected shall be credited to the fund and used to pay 924
reasonable costs incurred by the department of development in 925
administering this section and sections 5725.151, 5725.34, 926
5726.52, 5729.17, 5733.47, and 5747.76 of the Revised Code. 927

The Ohio historic preservation office is authorized to 928
charge reasonable fees in connection with its review and 929
approval of applications under this section. Any such fees 930
collected shall be credited to the fund and used to pay 931
administrative costs incurred by the Ohio historic preservation 932
office pursuant to this section. 933

(H) Notwithstanding sections 5725.151, 5725.34, 5726.52, 934
5729.17, 5733.47, and 5747.76 of the Revised Code, the 935
certificate owner of a tax credit certificate issued under 936
division (D) (6) of this section may claim a tax credit equal to 937
twenty-five per cent of the dollar amount indicated on the 938
certificate for a total credit of not more than twenty-five 939

million dollars. The credit claimed by such a certificate owner 940
for any calendar year, tax year, or taxable year under section 941
5725.151, 5725.34, 5726.52, 5729.17, 5733.47, or 5747.76 of the 942
Revised Code shall not exceed five million dollars. If the 943
certificate owner is eligible for more than five million dollars 944
in total credits, the certificate owner may carry forward the 945
balance of the credit in excess of the amount claimed for that 946
year for not more than five ensuing calendar years, tax years, 947
or taxable years. If the credit claimed in any calendar year, 948
tax year, or taxable year exceeds the tax otherwise due, the 949
excess shall be refunded to the taxpayer. 950

(I) Notwithstanding sections 5725.151, 5725.34, 5726.52, 951
5729.17, 5733.47, and 5747.76 of the Revised Code, the following 952
apply to a tax credit approved under this section after ~~the~~ 953
~~effective date of this amendment~~ September 13, 2022, and before 954
July 1, 2024: 955

(1) The certificate holder may claim a tax credit equal to 956
thirty-five per cent of the dollar amount indicated on the tax 957
credit certificate if any county, township, or municipal 958
corporation within which the project is located has a population 959
of less than three hundred thousand according to the 2020 960
decennial census. The tax credit equals twenty-five per cent of 961
the dollar amount indicated on the certificate if the project is 962
not located within such a county, township, or municipal 963
corporation. 964

(2) The total tax credit claimed under section 5725.151, 965
5725.34, 5726.52, 5729.17, 5733.47, or 5747.76 of the Revised 966
Code for any one project shall not exceed ten million dollars 967
for any calendar year, tax year, or taxable year. 968

(3) If the credit claimed in any calendar year, tax year, 969

or taxable year exceeds the tax otherwise due, the excess shall 970
be refunded to the taxpayer, subject to division (I)(2) of this 971
section. 972

(J) The director of development, in consultation with the 973
director of budget and management, shall develop and adopt a 974
system of tracking any information necessary to anticipate the 975
impact of credits issued under this section on tax revenues for 976
current and future fiscal years. Such information may include 977
the number of applications approved, the estimated 978
rehabilitation expenditures and rehabilitation period associated 979
with such applications, the number and amount of tax credit 980
certificates issued, and any other information the director of 981
budget and management requires for the purposes of this 982
division. 983

(K) For purposes of this section and Chapter 122:19-1 of 984
the Ohio Administrative Code, a tax credit certificate issued 985
under this section is effective on the date that all historic 986
buildings rehabilitated by the project are "placed in service," 987
as that term is used in section 47 of the Internal Revenue Code. 988

Sec. 149.43. (A) As used in this section: 989

(1) "Public record" means records kept by any public 990
office, including, but not limited to, state, county, city, 991
village, township, and school district units, and records 992
pertaining to the delivery of educational services by an 993
alternative school in this state kept by the nonprofit or for- 994
profit entity operating the alternative school pursuant to 995
section 3313.533 of the Revised Code. "Public record" does not 996
mean any of the following: 997

(a) Medical records; 998

(b) Records pertaining to probation and parole	999
proceedings, to proceedings related to the imposition of	1000
community control sanctions and post-release control sanctions,	1001
or to proceedings related to determinations under section	1002
2967.271 of the Revised Code regarding the release or maintained	1003
incarceration of an offender to whom that section applies;	1004
(c) Records pertaining to actions under section 2151.85	1005
and division (C) of section 2919.121 of the Revised Code and to	1006
appeals of actions arising under those sections;	1007
(d) Records pertaining to adoption proceedings, including	1008
the contents of an adoption file maintained by the department of	1009
health under sections 3705.12 to 3705.124 of the Revised Code;	1010
(e) Information in a record contained in the putative	1011
father registry established by section 3107.062 of the Revised	1012
Code, regardless of whether the information is held by the	1013
department of job and family services or, pursuant to section	1014
3111.69 of the Revised Code, the office of child support in the	1015
department or a child support enforcement agency;	1016
(f) Records specified in division (A) of section 3107.52	1017
of the Revised Code;	1018
(g) Trial preparation records;	1019
(h) Confidential law enforcement investigatory records;	1020
(i) Records containing information that is confidential	1021
under section 2710.03 or 4112.05 of the Revised Code;	1022
(j) DNA records stored in the DNA database pursuant to	1023
section 109.573 of the Revised Code;	1024
(k) Inmate records released by the department of	1025
rehabilitation and correction to the department of youth	1026

services or a court of record pursuant to division (E) of	1027
section 5120.21 of the Revised Code;	1028
(l) Records maintained by the department of youth services	1029
pertaining to children in its custody released by the department	1030
of youth services to the department of rehabilitation and	1031
correction pursuant to section 5139.05 of the Revised Code;	1032
(m) Intellectual property records;	1033
(n) Donor profile records;	1034
(o) Records maintained by the department of job and family	1035
services pursuant to section 3121.894 of the Revised Code;	1036
(p) Designated public service worker residential and	1037
familial information;	1038
(q) In the case of a county hospital operated pursuant to	1039
Chapter 339. of the Revised Code or a municipal hospital	1040
operated pursuant to Chapter 749. of the Revised Code,	1041
information that constitutes a trade secret, as defined in	1042
section 1333.61 of the Revised Code;	1043
(r) Information pertaining to the recreational activities	1044
of a person under the age of eighteen;	1045
(s) In the case of a child fatality review board acting	1046
under sections 307.621 to 307.629 of the Revised Code or a	1047
review conducted pursuant to guidelines established by the	1048
director of health under section 3701.70 of the Revised Code,	1049
records provided to the board or director, statements made by	1050
board members during meetings of the board or by persons	1051
participating in the director's review, and all work products of	1052
the board or director, and in the case of a child fatality	1053
review board, child fatality review data submitted by the board	1054

to the department of health or a national child death review 1055
database, other than the report prepared pursuant to division 1056
(A) of section 307.626 of the Revised Code; 1057

(t) Records provided to and statements made by the 1058
executive director of a public children services agency or a 1059
prosecuting attorney acting pursuant to section 5153.171 of the 1060
Revised Code other than the information released under that 1061
section; 1062

(u) Test materials, examinations, or evaluation tools used 1063
in an examination for licensure as a nursing home administrator 1064
that the board of executives of long-term services and supports 1065
administers under section 4751.15 of the Revised Code or 1066
contracts under that section with a private or government entity 1067
to administer; 1068

(v) Records the release of which is prohibited by state or 1069
federal law; 1070

(w) Proprietary information of or relating to any person 1071
that is submitted to or compiled by the Ohio venture capital 1072
authority created under section 150.01 of the Revised Code; 1073

(x) Financial statements and data any person submits for 1074
any purpose to the Ohio housing finance agency or the 1075
controlling board in connection with applying for, receiving, or 1076
accounting for financial assistance from the agency, and 1077
information that identifies any individual who benefits directly 1078
or indirectly from financial assistance from the agency; 1079

(y) Records listed in section 5101.29 of the Revised Code; 1080

(z) Discharges recorded with a county recorder under 1081
section 317.24 of the Revised Code, as specified in division (B) 1082
(2) of that section; 1083

(aa) Usage information including names and addresses of 1084
specific residential and commercial customers of a municipally 1085
owned or operated public utility; 1086

(bb) Records described in division (C) of section 187.04 1087
of the Revised Code that are not designated to be made available 1088
to the public as provided in that division; 1089

(cc) Information and records that are made confidential, 1090
privileged, and not subject to disclosure under divisions (B) 1091
and (C) of section 2949.221 of the Revised Code; 1092

(dd) Personal information, as defined in section 149.45 of 1093
the Revised Code; 1094

(ee) The confidential name, address, and other personally 1095
identifiable information of a program participant in the address 1096
confidentiality program established under sections 111.41 to 1097
111.47 of the Revised Code, including the contents of any 1098
application for absent voter's ballots, absent voter's ballot 1099
identification envelope statement of voter, or provisional 1100
ballot affirmation completed by a program participant who has a 1101
confidential voter registration record; records or portions of 1102
records pertaining to that program that identify the number of 1103
program participants that reside within a precinct, ward, 1104
township, municipal corporation, county, or any other geographic 1105
area smaller than the state; and any real property 1106
confidentiality notice filed under section 111.431 of the 1107
Revised Code and the information described in division (C) of 1108
that section. As used in this division, "confidential address" 1109
and "program participant" have the meaning defined in section 1110
111.41 of the Revised Code. 1111

(ff) Orders for active military service of an individual 1112

serving or with previous service in the armed forces of the 1113
United States, including a reserve component, or the Ohio 1114
organized militia, except that, such order becomes a public 1115
record on the day that is fifteen years after the published date 1116
or effective date of the call to order; 1117

(gg) The name, address, contact information, or other 1118
personal information of an individual who is less than eighteen 1119
years of age that is included in any record related to a traffic 1120
accident involving a school vehicle in which the individual was 1121
an occupant at the time of the accident; 1122

(hh) Protected health information, as defined in 45 C.F.R. 1123
160.103, that is in a claim for payment for a health care 1124
product, service, or procedure, as well as any other health 1125
claims data in another document that reveals the identity of an 1126
individual who is the subject of the data or could be used to 1127
reveal that individual's identity; 1128

(ii) Any depiction by photograph, film, videotape, or 1129
printed or digital image under either of the following 1130
circumstances: 1131

(i) The depiction is that of a victim of an offense the 1132
release of which would be, to a reasonable person of ordinary 1133
sensibilities, an offensive and objectionable intrusion into the 1134
victim's expectation of bodily privacy and integrity. 1135

(ii) The depiction captures or depicts the victim of a 1136
sexually oriented offense, as defined in section 2950.01 of the 1137
Revised Code, at the actual occurrence of that offense. 1138

(jj) Restricted portions of a body-worn camera or 1139
dashboard camera recording; 1140

(kk) In the case of a fetal-infant mortality review board 1141

acting under sections 3707.70 to 3707.77 of the Revised Code, 1142
records, documents, reports, or other information presented to 1143
the board or a person abstracting such materials on the board's 1144
behalf, statements made by review board members during board 1145
meetings, all work products of the board, and data submitted by 1146
the board to the department of health or a national infant death 1147
review database, other than the report prepared pursuant to 1148
section 3707.77 of the Revised Code. 1149

(ll) Records, documents, reports, or other information 1150
presented to the pregnancy-associated mortality review board 1151
established under section 3738.01 of the Revised Code, 1152
statements made by board members during board meetings, all work 1153
products of the board, and data submitted by the board to the 1154
department of health, other than the biennial reports prepared 1155
under section 3738.08 of the Revised Code; 1156

(mm) Except as otherwise provided in division (A) (1) (oo) 1157
of this section, telephone numbers for a victim, as defined in 1158
section 2930.01 of the Revised Code or a witness to a crime that 1159
are listed on any law enforcement record or report. 1160

(nn) A preneed funeral contract, as defined in section 1161
4717.01 of the Revised Code, and contract terms and personally 1162
identifying information of a preneed funeral contract, that is 1163
contained in a report submitted by or for a funeral home to the 1164
board of embalmers and funeral directors under division (C) of 1165
section 4717.13, division (J) of section 4717.31, or section 1166
4717.41 of the Revised Code. 1167

(oo) Telephone numbers for a party to a motor vehicle 1168
accident subject to the requirements of section 5502.11 of the 1169
Revised Code that are listed on any law enforcement record or 1170
report, except that the telephone numbers described in this 1171

division are not excluded from the definition of "public record" 1172
under this division on and after the thirtieth day after the 1173
occurrence of the motor vehicle accident. 1174

(pp) Records pertaining to individuals who complete 1175
training under section 5502.703 of the Revised Code to be 1176
permitted by a school district board of education or governing 1177
body of a community school established under Chapter 3314. of 1178
the Revised Code, a STEM school established under Chapter 3326. 1179
of the Revised Code, or a chartered nonpublic school to convey 1180
deadly weapons or dangerous ordnance into a school safety zone. 1181

(qq) Records of an existing qualified nonprofit 1182
corporation that creates a special improvement district under 1183
Chapter 1710. of the Revised Code that do not pertain to a 1184
purpose for which the district is created. 1185

A record that is not a public record under division (A) (1) 1186
of this section and that, under law, is permanently retained 1187
becomes a public record on the day that is seventy-five years 1188
after the day on which the record was created, except for any 1189
record protected by the attorney-client privilege, a trial 1190
preparation record as defined in this section, a statement 1191
prohibiting the release of identifying information signed under 1192
section 3107.083 of the Revised Code, a denial of release form 1193
filed pursuant to section 3107.46 of the Revised Code, or any 1194
record that is exempt from release or disclosure under section 1195
149.433 of the Revised Code. If the record is a birth 1196
certificate and a biological parent's name redaction request 1197
form has been accepted under section 3107.391 of the Revised 1198
Code, the name of that parent shall be redacted from the birth 1199
certificate before it is released under this paragraph. If any 1200
other section of the Revised Code establishes a time period for 1201

disclosure of a record that conflicts with the time period 1202
specified in this section, the time period in the other section 1203
prevails. 1204

(2) "Confidential law enforcement investigatory record" 1205
means any record that pertains to a law enforcement matter of a 1206
criminal, quasi-criminal, civil, or administrative nature, but 1207
only to the extent that the release of the record would create a 1208
high probability of disclosure of any of the following: 1209

(a) The identity of a suspect who has not been charged 1210
with the offense to which the record pertains, or of an 1211
information source or witness to whom confidentiality has been 1212
reasonably promised; 1213

(b) Information provided by an information source or 1214
witness to whom confidentiality has been reasonably promised, 1215
which information would reasonably tend to disclose the source's 1216
or witness's identity; 1217

(c) Specific confidential investigatory techniques or 1218
procedures or specific investigatory work product; 1219

(d) Information that would endanger the life or physical 1220
safety of law enforcement personnel, a crime victim, a witness, 1221
or a confidential information source. 1222

(3) "Medical record" means any document or combination of 1223
documents, except births, deaths, and the fact of admission to 1224
or discharge from a hospital, that pertains to the medical 1225
history, diagnosis, prognosis, or medical condition of a patient 1226
and that is generated and maintained in the process of medical 1227
treatment. 1228

(4) "Trial preparation record" means any record that 1229
contains information that is specifically compiled in reasonable 1230

anticipation of, or in defense of, a civil or criminal action or 1231
proceeding, including the independent thought processes and 1232
personal trial preparation of an attorney. 1233

(5) "Intellectual property record" means a record, other 1234
than a financial or administrative record, that is produced or 1235
collected by or for faculty or staff of a state institution of 1236
higher learning in the conduct of or as a result of study or 1237
research on an educational, commercial, scientific, artistic, 1238
technical, or scholarly issue, regardless of whether the study 1239
or research was sponsored by the institution alone or in 1240
conjunction with a governmental body or private concern, and 1241
that has not been publicly released, published, or patented. 1242

(6) "Donor profile record" means all records about donors 1243
or potential donors to a public institution of higher education 1244
except the names and reported addresses of the actual donors and 1245
the date, amount, and conditions of the actual donation. 1246

(7) "Designated public service worker" means a peace 1247
officer, parole officer, probation officer, bailiff, prosecuting 1248
attorney, assistant prosecuting attorney, correctional employee, 1249
county or multicounty corrections officer, community-based 1250
correctional facility employee, designated Ohio national guard 1251
member, protective services worker, youth services employee, 1252
firefighter, EMT, medical director or member of a cooperating 1253
physician advisory board of an emergency medical service 1254
organization, state board of pharmacy employee, investigator of 1255
the bureau of criminal identification and investigation, 1256
emergency service telecommunicator, forensic mental health 1257
provider, mental health evaluation provider, regional 1258
psychiatric hospital employee, judge, magistrate, or federal law 1259
enforcement officer. 1260

(8) "Designated public service worker residential and	1261
familial information" means any information that discloses any	1262
of the following about a designated public service worker:	1263
(a) The address of the actual personal residence of a	1264
designated public service worker, except for the following	1265
information:	1266
(i) The address of the actual personal residence of a	1267
prosecuting attorney or judge; and	1268
(ii) The state or political subdivision in which a	1269
designated public service worker resides.	1270
(b) Information compiled from referral to or participation	1271
in an employee assistance program;	1272
(c) The social security number, the residential telephone	1273
number, any bank account, debit card, charge card, or credit	1274
card number, or the emergency telephone number of, or any	1275
medical information pertaining to, a designated public service	1276
worker;	1277
(d) The name of any beneficiary of employment benefits,	1278
including, but not limited to, life insurance benefits, provided	1279
to a designated public service worker by the designated public	1280
service worker's employer;	1281
(e) The identity and amount of any charitable or	1282
employment benefit deduction made by the designated public	1283
service worker's employer from the designated public service	1284
worker's compensation, unless the amount of the deduction is	1285
required by state or federal law;	1286
(f) The name, the residential address, the name of the	1287
employer, the address of the employer, the social security	1288

number, the residential telephone number, any bank account, 1289
debit card, charge card, or credit card number, or the emergency 1290
telephone number of the spouse, a former spouse, or any child of 1291
a designated public service worker; 1292

(g) A photograph of a peace officer who holds a position 1293
or has an assignment that may include undercover or plain 1294
clothes positions or assignments as determined by the peace 1295
officer's appointing authority. 1296

(9) As used in divisions (A) (7) and (15) to (17) of this 1297
section: 1298

"Peace officer" has the meaning defined in section 109.71 1299
of the Revised Code and also includes the superintendent and 1300
troopers of the state highway patrol; it does not include the 1301
sheriff of a county or a supervisory employee who, in the 1302
absence of the sheriff, is authorized to stand in for, exercise 1303
the authority of, and perform the duties of the sheriff. 1304

"Correctional employee" means any employee of the 1305
department of rehabilitation and correction who in the course of 1306
performing the employee's job duties has or has had contact with 1307
inmates and persons under supervision. 1308

"County or multicounty corrections officer" means any 1309
corrections officer employed by any county or multicounty 1310
correctional facility. 1311

"Designated Ohio national guard member" means a member of 1312
the Ohio national guard who is participating in duties related 1313
to remotely piloted aircraft, including, but not limited to, 1314
pilots, sensor operators, and mission intelligence personnel, 1315
duties related to special forces operations, or duties related 1316
to cybersecurity, and is designated by the adjutant general as a 1317

designated public service worker for those purposes. 1318

"Protective services worker" means any employee of a 1319
county agency who is responsible for child protective services, 1320
child support services, or adult protective services. 1321

"Youth services employee" means any employee of the 1322
department of youth services who in the course of performing the 1323
employee's job duties has or has had contact with children 1324
committed to the custody of the department of youth services. 1325

"Firefighter" means any regular, paid or volunteer, member 1326
of a lawfully constituted fire department of a municipal 1327
corporation, township, fire district, or village. 1328

"EMT" means EMTs-basic, EMTs-I, and paramedics that 1329
provide emergency medical services for a public emergency 1330
medical service organization. "Emergency medical service 1331
organization," "EMT-basic," "EMT-I," and "paramedic" have the 1332
meanings defined in section 4765.01 of the Revised Code. 1333

"Investigator of the bureau of criminal identification and 1334
investigation" has the meaning defined in section 2903.11 of the 1335
Revised Code. 1336

"Emergency service telecommunicator" has the meaning 1337
defined in section 4742.01 of the Revised Code. 1338

"Forensic mental health provider" means any employee of a 1339
community mental health service provider or local alcohol, drug 1340
addiction, and mental health services board who, in the course 1341
of the employee's duties, has contact with persons committed to 1342
a local alcohol, drug addiction, and mental health services 1343
board by a court order pursuant to section 2945.38, 2945.39, 1344
2945.40, or 2945.402 of the Revised Code. 1345

"Mental health evaluation provider" means an individual 1346
who, under Chapter 5122. of the Revised Code, examines a 1347
respondent who is alleged to be a mentally ill person subject to 1348
court order, as defined in section 5122.01 of the Revised Code, 1349
and reports to the probate court the respondent's mental 1350
condition. 1351

"Regional psychiatric hospital employee" means any 1352
employee of the department of mental health and addiction 1353
services who, in the course of performing the employee's duties, 1354
has contact with patients committed to the department of mental 1355
health and addiction services by a court order pursuant to 1356
section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised 1357
Code. 1358

"Federal law enforcement officer" has the meaning defined 1359
in section 9.88 of the Revised Code. 1360

(10) "Information pertaining to the recreational 1361
activities of a person under the age of eighteen" means 1362
information that is kept in the ordinary course of business by a 1363
public office, that pertains to the recreational activities of a 1364
person under the age of eighteen years, and that discloses any 1365
of the following: 1366

(a) The address or telephone number of a person under the 1367
age of eighteen or the address or telephone number of that 1368
person's parent, guardian, custodian, or emergency contact 1369
person; 1370

(b) The social security number, birth date, or 1371
photographic image of a person under the age of eighteen; 1372

(c) Any medical record, history, or information pertaining 1373
to a person under the age of eighteen; 1374

(d) Any additional information sought or required about a 1375
person under the age of eighteen for the purpose of allowing 1376
that person to participate in any recreational activity 1377
conducted or sponsored by a public office or to use or obtain 1378
admission privileges to any recreational facility owned or 1379
operated by a public office. 1380

(11) "Community control sanction" has the meaning defined 1381
in section 2929.01 of the Revised Code. 1382

(12) "Post-release control sanction" has the meaning 1383
defined in section 2967.01 of the Revised Code. 1384

(13) "Redaction" means obscuring or deleting any 1385
information that is exempt from the duty to permit public 1386
inspection or copying from an item that otherwise meets the 1387
definition of a "record" in section 149.011 of the Revised Code. 1388

(14) "Designee," "elected official," and "future official" 1389
have the meanings defined in section 109.43 of the Revised Code. 1390

(15) "Body-worn camera" means a visual and audio recording 1391
device worn on the person of a peace officer while the peace 1392
officer is engaged in the performance of the peace officer's 1393
duties. 1394

(16) "Dashboard camera" means a visual and audio recording 1395
device mounted on a peace officer's vehicle or vessel that is 1396
used while the peace officer is engaged in the performance of 1397
the peace officer's duties. 1398

(17) "Restricted portions of a body-worn camera or 1399
dashboard camera recording" means any visual or audio portion of 1400
a body-worn camera or dashboard camera recording that shows, 1401
communicates, or discloses any of the following: 1402

(a) The image or identity of a child or information that 1403
could lead to the identification of a child who is a primary 1404
subject of the recording when the law enforcement agency knows 1405
or has reason to know the person is a child based on the law 1406
enforcement agency's records or the content of the recording; 1407

(b) The death of a person or a deceased person's body, 1408
unless the death was caused by a peace officer or, subject to 1409
division (H)(1) of this section, the consent of the decedent's 1410
executor or administrator has been obtained; 1411

(c) The death of a peace officer, firefighter, paramedic, 1412
or other first responder, occurring while the decedent was 1413
engaged in the performance of official duties, unless, subject 1414
to division (H)(1) of this section, the consent of the 1415
decedent's executor or administrator has been obtained; 1416

(d) Grievous bodily harm, unless the injury was effected 1417
by a peace officer or, subject to division (H)(1) of this 1418
section, the consent of the injured person or the injured 1419
person's guardian has been obtained; 1420

(e) An act of severe violence against a person that 1421
results in serious physical harm to the person, unless the act 1422
and injury was effected by a peace officer or, subject to 1423
division (H)(1) of this section, the consent of the injured 1424
person or the injured person's guardian has been obtained; 1425

(f) Grievous bodily harm to a peace officer, firefighter, 1426
paramedic, or other first responder, occurring while the injured 1427
person was engaged in the performance of official duties, 1428
unless, subject to division (H)(1) of this section, the consent 1429
of the injured person or the injured person's guardian has been 1430
obtained; 1431

(g) An act of severe violence resulting in serious	1432
physical harm against a peace officer, firefighter, paramedic,	1433
or other first responder, occurring while the injured person was	1434
engaged in the performance of official duties, unless, subject	1435
to division (H) (1) of this section, the consent of the injured	1436
person or the injured person's guardian has been obtained;	1437
(h) A person's nude body, unless, subject to division (H)	1438
(1) of this section, the person's consent has been obtained;	1439
(i) Protected health information, the identity of a person	1440
in a health care facility who is not the subject of a law	1441
enforcement encounter, or any other information in a health care	1442
facility that could identify a person who is not the subject of	1443
a law enforcement encounter;	1444
(j) Information that could identify the alleged victim of	1445
a sex offense, menacing by stalking, or domestic violence;	1446
(k) Information, that does not constitute a confidential	1447
law enforcement investigatory record, that could identify a	1448
person who provides sensitive or confidential information to a	1449
law enforcement agency when the disclosure of the person's	1450
identity or the information provided could reasonably be	1451
expected to threaten or endanger the safety or property of the	1452
person or another person;	1453
(l) Personal information of a person who is not arrested,	1454
cited, charged, or issued a written warning by a peace officer;	1455
(m) Proprietary police contingency plans or tactics that	1456
are intended to prevent crime and maintain public order and	1457
safety;	1458
(n) A personal conversation unrelated to work between	1459
peace officers or between a peace officer and an employee of a	1460

law enforcement agency; 1461

(o) A conversation between a peace officer and a member of 1462
the public that does not concern law enforcement activities; 1463

(p) The interior of a residence, unless the interior of a 1464
residence is the location of an adversarial encounter with, or a 1465
use of force by, a peace officer; 1466

(q) Any portion of the interior of a private business that 1467
is not open to the public, unless an adversarial encounter with, 1468
or a use of force by, a peace officer occurs in that location. 1469

As used in division (A) (17) of this section: 1470

"Grievous bodily harm" has the same meaning as in section 1471
5924.120 of the Revised Code. 1472

"Health care facility" has the same meaning as in section 1473
1337.11 of the Revised Code. 1474

"Protected health information" has the same meaning as in 1475
45 C.F.R. 160.103. 1476

"Law enforcement agency" has the same meaning as in 1477
section 2925.61 of the Revised Code. 1478

"Personal information" means any government-issued 1479
identification number, date of birth, address, financial 1480
information, or criminal justice information from the law 1481
enforcement automated data system or similar databases. 1482

"Sex offense" has the same meaning as in section 2907.10 1483
of the Revised Code. 1484

"Firefighter," "paramedic," and "first responder" have the 1485
same meanings as in section 4765.01 of the Revised Code. 1486

(B) (1) Upon request by any person and subject to division 1487

(B) (8) of this section, all public records responsive to the 1488
request shall be promptly prepared and made available for 1489
inspection to the requester at all reasonable times during 1490
regular business hours. Subject to division (B) (8) of this 1491
section, upon request by any person, a public office or person 1492
responsible for public records shall make copies of the 1493
requested public record available to the requester at cost and 1494
within a reasonable period of time. If a public record contains 1495
information that is exempt from the duty to permit public 1496
inspection or to copy the public record, the public office or 1497
the person responsible for the public record shall make 1498
available all of the information within the public record that 1499
is not exempt. When making that public record available for 1500
public inspection or copying that public record, the public 1501
office or the person responsible for the public record shall 1502
notify the requester of any redaction or make the redaction 1503
plainly visible. A redaction shall be deemed a denial of a 1504
request to inspect or copy the redacted information, except if 1505
federal or state law authorizes or requires a public office to 1506
make the redaction. 1507

(2) To facilitate broader access to public records, a 1508
public office or the person responsible for public records shall 1509
organize and maintain public records in a manner that they can 1510
be made available for inspection or copying in accordance with 1511
division (B) of this section. A public office also shall have 1512
available a copy of its current records retention schedule at a 1513
location readily available to the public. If a requester makes 1514
an ambiguous or overly broad request or has difficulty in making 1515
a request for copies or inspection of public records under this 1516
section such that the public office or the person responsible 1517
for the requested public record cannot reasonably identify what 1518

public records are being requested, the public office or the 1519
person responsible for the requested public record may deny the 1520
request but shall provide the requester with an opportunity to 1521
revise the request by informing the requester of the manner in 1522
which records are maintained by the public office and accessed 1523
in the ordinary course of the public office's or person's 1524
duties. 1525

(3) If a request is ultimately denied, in part or in 1526
whole, the public office or the person responsible for the 1527
requested public record shall provide the requester with an 1528
explanation, including legal authority, setting forth why the 1529
request was denied. If the initial request was provided in 1530
writing, the explanation also shall be provided to the requester 1531
in writing. The explanation shall not preclude the public office 1532
or the person responsible for the requested public record from 1533
relying upon additional reasons or legal authority in defending 1534
an action commenced under division (C) of this section. 1535

(4) Unless specifically required or authorized by state or 1536
federal law or in accordance with division (B) of this section, 1537
no public office or person responsible for public records may 1538
limit or condition the availability of public records by 1539
requiring disclosure of the requester's identity or the intended 1540
use of the requested public record. Any requirement that the 1541
requester disclose the requester's identity or the intended use 1542
of the requested public record constitutes a denial of the 1543
request. 1544

(5) A public office or person responsible for public 1545
records may ask a requester to make the request in writing, may 1546
ask for the requester's identity, and may inquire about the 1547
intended use of the information requested, but may do so only 1548

after disclosing to the requester that a written request is not 1549
mandatory, that the requester may decline to reveal the 1550
requester's identity or the intended use, and when a written 1551
request or disclosure of the identity or intended use would 1552
benefit the requester by enhancing the ability of the public 1553
office or person responsible for public records to identify, 1554
locate, or deliver the public records sought by the requester. 1555

(6) If any person requests a copy of a public record in 1556
accordance with division (B) of this section, the public office 1557
or person responsible for the public record may require the 1558
requester to pay in advance the cost involved in providing the 1559
copy of the public record in accordance with the choice made by 1560
the requester under this division. The public office or the 1561
person responsible for the public record shall permit the 1562
requester to choose to have the public record duplicated upon 1563
paper, upon the same medium upon which the public office or 1564
person responsible for the public record keeps it, or upon any 1565
other medium upon which the public office or person responsible 1566
for the public record determines that it reasonably can be 1567
duplicated as an integral part of the normal operations of the 1568
public office or person responsible for the public record. When 1569
the requester makes a choice under this division, the public 1570
office or person responsible for the public record shall provide 1571
a copy of it in accordance with the choice made by the 1572
requester. Nothing in this section requires a public office or 1573
person responsible for the public record to allow the requester 1574
of a copy of the public record to make the copies of the public 1575
record. 1576

(7) (a) Upon a request made in accordance with division (B) 1577
of this section and subject to division (B) (6) of this section, 1578
a public office or person responsible for public records shall 1579

transmit a copy of a public record to any person by United 1580
States mail or by any other means of delivery or transmission 1581
within a reasonable period of time after receiving the request 1582
for the copy. The public office or person responsible for the 1583
public record may require the person making the request to pay 1584
in advance the cost of postage if the copy is transmitted by 1585
United States mail or the cost of delivery if the copy is 1586
transmitted other than by United States mail, and to pay in 1587
advance the costs incurred for other supplies used in the 1588
mailing, delivery, or transmission. 1589

(b) Any public office may adopt a policy and procedures 1590
that it will follow in transmitting, within a reasonable period 1591
of time after receiving a request, copies of public records by 1592
United States mail or by any other means of delivery or 1593
transmission pursuant to division (B) (7) of this section. A 1594
public office that adopts a policy and procedures under division 1595
(B) (7) of this section shall comply with them in performing its 1596
duties under that division. 1597

(c) In any policy and procedures adopted under division 1598
(B) (7) of this section: 1599

(i) A public office may limit the number of records 1600
requested by a person that the office will physically deliver by 1601
United States mail or by another delivery service to ten per 1602
month, unless the person certifies to the office in writing that 1603
the person does not intend to use or forward the requested 1604
records, or the information contained in them, for commercial 1605
purposes; 1606

(ii) A public office that chooses to provide some or all 1607
of its public records on a web site that is fully accessible to 1608
and searchable by members of the public at all times, other than 1609

during acts of God outside the public office's control or 1610
maintenance, and that charges no fee to search, access, 1611
download, or otherwise receive records provided on the web site, 1612
may limit to ten per month the number of records requested by a 1613
person that the office will deliver in a digital format, unless 1614
the requested records are not provided on the web site and 1615
unless the person certifies to the office in writing that the 1616
person does not intend to use or forward the requested records, 1617
or the information contained in them, for commercial purposes. 1618

(iii) For purposes of division (B) (7) of this section, 1619
"commercial" shall be narrowly construed and does not include 1620
reporting or gathering news, reporting or gathering information 1621
to assist citizen oversight or understanding of the operation or 1622
activities of government, or nonprofit educational research. 1623

(8) A public office or person responsible for public 1624
records is not required to permit a person who is incarcerated 1625
pursuant to a criminal conviction or a juvenile adjudication to 1626
inspect or to obtain a copy of any public record concerning a 1627
criminal investigation or prosecution or concerning what would 1628
be a criminal investigation or prosecution if the subject of the 1629
investigation or prosecution were an adult, unless the request 1630
to inspect or to obtain a copy of the record is for the purpose 1631
of acquiring information that is subject to release as a public 1632
record under this section and the judge who imposed the sentence 1633
or made the adjudication with respect to the person, or the 1634
judge's successor in office, finds that the information sought 1635
in the public record is necessary to support what appears to be 1636
a justiciable claim of the person. 1637

(9) (a) Upon written request made and signed by a 1638
journalist, a public office, or person responsible for public 1639

records, having custody of the records of the agency employing a 1640
specified designated public service worker shall disclose to the 1641
journalist the address of the actual personal residence of the 1642
designated public service worker and, if the designated public 1643
service worker's spouse, former spouse, or child is employed by 1644
a public office, the name and address of the employer of the 1645
designated public service worker's spouse, former spouse, or 1646
child. The request shall include the journalist's name and title 1647
and the name and address of the journalist's employer and shall 1648
state that disclosure of the information sought would be in the 1649
public interest. 1650

(b) Division (B) (9) (a) of this section also applies to 1651
journalist requests for: 1652

(i) Customer information maintained by a municipally owned 1653
or operated public utility, other than social security numbers 1654
and any private financial information such as credit reports, 1655
payment methods, credit card numbers, and bank account 1656
information; 1657

(ii) Information about minors involved in a school vehicle 1658
accident as provided in division (A) (1) (gg) of this section, 1659
other than personal information as defined in section 149.45 of 1660
the Revised Code. 1661

(c) As used in division (B) (9) of this section, 1662
"journalist" means a person engaged in, connected with, or 1663
employed by any news medium, including a newspaper, magazine, 1664
press association, news agency, or wire service, a radio or 1665
television station, or a similar medium, for the purpose of 1666
gathering, processing, transmitting, compiling, editing, or 1667
disseminating information for the general public. 1668

(10) Upon a request made by a victim, victim's attorney, 1669
or victim's representative, as that term is used in section 1670
2930.02 of the Revised Code, a public office or person 1671
responsible for public records shall transmit a copy of a 1672
depiction of the victim as described in division (A)(1)(ii) of 1673
this section to the victim, victim's attorney, or victim's 1674
representative. 1675

(C)(1) If a person allegedly is aggrieved by the failure 1676
of a public office or the person responsible for public records 1677
to promptly prepare a public record and to make it available to 1678
the person for inspection in accordance with division (B) of 1679
this section or by any other failure of a public office or the 1680
person responsible for public records to comply with an 1681
obligation in accordance with division (B) of this section, the 1682
person allegedly aggrieved may do only one of the following, and 1683
not both: 1684

(a) File a complaint with the clerk of the court of claims 1685
or the clerk of the court of common pleas under section 2743.75 1686
of the Revised Code; 1687

(b) Commence a mandamus action to obtain a judgment that 1688
orders the public office or the person responsible for the 1689
public record to comply with division (B) of this section, that 1690
awards court costs and reasonable attorney's fees to the person 1691
that instituted the mandamus action, and, if applicable, that 1692
includes an order fixing statutory damages under division (C)(2) 1693
of this section. The mandamus action may be commenced in the 1694
court of common pleas of the county in which division (B) of 1695
this section allegedly was not complied with, in the supreme 1696
court pursuant to its original jurisdiction under Section 2 of 1697
Article IV, Ohio Constitution, or in the court of appeals for 1698

the appellate district in which division (B) of this section 1699
allegedly was not complied with pursuant to its original 1700
jurisdiction under Section 3 of Article IV, Ohio Constitution. 1701

(2) If a requester transmits a written request by hand 1702
delivery, electronic submission, or certified mail to inspect or 1703
receive copies of any public record in a manner that fairly 1704
describes the public record or class of public records to the 1705
public office or person responsible for the requested public 1706
records, except as otherwise provided in this section, the 1707
requester shall be entitled to recover the amount of statutory 1708
damages set forth in this division if a court determines that 1709
the public office or the person responsible for public records 1710
failed to comply with an obligation in accordance with division 1711
(B) of this section. 1712

The amount of statutory damages shall be fixed at one 1713
hundred dollars for each business day during which the public 1714
office or person responsible for the requested public records 1715
failed to comply with an obligation in accordance with division 1716
(B) of this section, beginning with the day on which the 1717
requester files a mandamus action to recover statutory damages, 1718
up to a maximum of one thousand dollars. The award of statutory 1719
damages shall not be construed as a penalty, but as compensation 1720
for injury arising from lost use of the requested information. 1721
The existence of this injury shall be conclusively presumed. The 1722
award of statutory damages shall be in addition to all other 1723
remedies authorized by this section. 1724

The court may reduce an award of statutory damages or not 1725
award statutory damages if the court determines both of the 1726
following: 1727

(a) That, based on the ordinary application of statutory 1728

law and case law as it existed at the time of the conduct or 1729
threatened conduct of the public office or person responsible 1730
for the requested public records that allegedly constitutes a 1731
failure to comply with an obligation in accordance with division 1732
(B) of this section and that was the basis of the mandamus 1733
action, a well-informed public office or person responsible for 1734
the requested public records reasonably would believe that the 1735
conduct or threatened conduct of the public office or person 1736
responsible for the requested public records did not constitute 1737
a failure to comply with an obligation in accordance with 1738
division (B) of this section; 1739

(b) That a well-informed public office or person 1740
responsible for the requested public records reasonably would 1741
believe that the conduct or threatened conduct of the public 1742
office or person responsible for the requested public records 1743
would serve the public policy that underlies the authority that 1744
is asserted as permitting that conduct or threatened conduct. 1745

(3) In a mandamus action filed under division (C) (1) of 1746
this section, the following apply: 1747

(a) (i) If the court orders the public office or the person 1748
responsible for the public record to comply with division (B) of 1749
this section, the court shall determine and award to the relator 1750
all court costs, which shall be construed as remedial and not 1751
punitive. 1752

(ii) If the court makes a determination described in 1753
division (C) (3) (b) (iii) of this section, the court shall 1754
determine and award to the relator all court costs, which shall 1755
be construed as remedial and not punitive. 1756

(b) If the court renders a judgment that orders the public 1757

office or the person responsible for the public record to comply 1758
with division (B) of this section or if the court determines any 1759
of the following, the court may award reasonable attorney's fees 1760
to the relator, subject to division (C) (4) of this section: 1761

(i) The public office or the person responsible for the 1762
public records failed to respond affirmatively or negatively to 1763
the public records request in accordance with the time allowed 1764
under division (B) of this section. 1765

(ii) The public office or the person responsible for the 1766
public records promised to permit the relator to inspect or 1767
receive copies of the public records requested within a 1768
specified period of time but failed to fulfill that promise 1769
within that specified period of time. 1770

(iii) The public office or the person responsible for the 1771
public records acted in bad faith when the office or person 1772
voluntarily made the public records available to the relator for 1773
the first time after the relator commenced the mandamus action, 1774
but before the court issued any order concluding whether or not 1775
the public office or person was required to comply with division 1776
(B) of this section. No discovery may be conducted on the issue 1777
of the alleged bad faith of the public office or person 1778
responsible for the public records. This division shall not be 1779
construed as creating a presumption that the public office or 1780
the person responsible for the public records acted in bad faith 1781
when the office or person voluntarily made the public records 1782
available to the relator for the first time after the relator 1783
commenced the mandamus action, but before the court issued any 1784
order described in this division. 1785

(c) The court shall not award attorney's fees to the 1786
relator if the court determines both of the following: 1787

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(ii) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C) (3) (b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was made available to the relator and the fees described in division (C) (4) (c) of this section.

(c) Reasonable attorney's fees shall include reasonable fees incurred to produce proof of the reasonableness and amount

of the fees and to otherwise litigate entitlement to the fees. 1817

(d) The court may reduce the amount of fees awarded if the 1818
court determines that, given the factual circumstances involved 1819
with the specific public records request, an alternative means 1820
should have been pursued to more effectively and efficiently 1821
resolve the dispute that was subject to the mandamus action 1822
filed under division (C) (1) of this section. 1823

(5) If the court does not issue a writ of mandamus under 1824
division (C) of this section and the court determines at that 1825
time that the bringing of the mandamus action was frivolous 1826
conduct as defined in division (A) of section 2323.51 of the 1827
Revised Code, the court may award to the public office all court 1828
costs, expenses, and reasonable attorney's fees, as determined 1829
by the court. 1830

(D) Chapter 1347. of the Revised Code does not limit the 1831
provisions of this section. 1832

(E) (1) To ensure that all employees of public offices are 1833
appropriately educated about a public office's obligations under 1834
division (B) of this section, all elected officials or their 1835
appropriate designees shall attend training approved by the 1836
attorney general as provided in section 109.43 of the Revised 1837
Code. A future official may satisfy the requirements of this 1838
division by attending the training before taking office, 1839
provided that the future official may not send a designee in the 1840
future official's place. 1841

(2) All public offices shall adopt a public records policy 1842
in compliance with this section for responding to public records 1843
requests. In adopting a public records policy under this 1844
division, a public office may obtain guidance from the model 1845

public records policy developed and provided to the public 1846
office by the attorney general under section 109.43 of the 1847
Revised Code. Except as otherwise provided in this section, the 1848
policy may not limit the number of public records that the 1849
public office will make available to a single person, may not 1850
limit the number of public records that it will make available 1851
during a fixed period of time, and may not establish a fixed 1852
period of time before it will respond to a request for 1853
inspection or copying of public records, unless that period is 1854
less than eight hours. 1855

The public office shall distribute the public records 1856
policy adopted by the public office under this division to the 1857
employee of the public office who is the records custodian or 1858
records manager or otherwise has custody of the records of that 1859
office. The public office shall require that employee to 1860
acknowledge receipt of the copy of the public records policy. 1861
The public office shall create a poster that describes its 1862
public records policy and shall post the poster in a conspicuous 1863
place in the public office and in all locations where the public 1864
office has branch offices. The public office may post its public 1865
records policy on the internet web site of the public office if 1866
the public office maintains an internet web site. A public 1867
office that has established a manual or handbook of its general 1868
policies and procedures for all employees of the public office 1869
shall include the public records policy of the public office in 1870
the manual or handbook. 1871

(F) (1) The bureau of motor vehicles may adopt rules 1872
pursuant to Chapter 119. of the Revised Code to reasonably limit 1873
the number of bulk commercial special extraction requests made 1874
by a person for the same records or for updated records during a 1875
calendar year. The rules may include provisions for charges to 1876

be made for bulk commercial special extraction requests for the 1877
actual cost of the bureau, plus special extraction costs, plus 1878
ten per cent. The bureau may charge for expenses for redacting 1879
information, the release of which is prohibited by law. 1880

(2) As used in division (F)(1) of this section: 1881

(a) "Actual cost" means the cost of depleted supplies, 1882
records storage media costs, actual mailing and alternative 1883
delivery costs, or other transmitting costs, and any direct 1884
equipment operating and maintenance costs, including actual 1885
costs paid to private contractors for copying services. 1886

(b) "Bulk commercial special extraction request" means a 1887
request for copies of a record for information in a format other 1888
than the format already available, or information that cannot be 1889
extracted without examination of all items in a records series, 1890
class of records, or database by a person who intends to use or 1891
forward the copies for surveys, marketing, solicitation, or 1892
resale for commercial purposes. "Bulk commercial special 1893
extraction request" does not include a request by a person who 1894
gives assurance to the bureau that the person making the request 1895
does not intend to use or forward the requested copies for 1896
surveys, marketing, solicitation, or resale for commercial 1897
purposes. 1898

(c) "Commercial" means profit-seeking production, buying, 1899
or selling of any good, service, or other product. 1900

(d) "Special extraction costs" means the cost of the time 1901
spent by the lowest paid employee competent to perform the task, 1902
the actual amount paid to outside private contractors employed 1903
by the bureau, or the actual cost incurred to create computer 1904
programs to make the special extraction. "Special extraction 1905

costs" include any charges paid to a public agency for computer 1906
or records services. 1907

(3) For purposes of divisions (F) (1) and (2) of this 1908
section, "surveys, marketing, solicitation, or resale for 1909
commercial purposes" shall be narrowly construed and does not 1910
include reporting or gathering news, reporting or gathering 1911
information to assist citizen oversight or understanding of the 1912
operation or activities of government, or nonprofit educational 1913
research. 1914

(G) A request by a defendant, counsel of a defendant, or 1915
any agent of a defendant in a criminal action that public 1916
records related to that action be made available under this 1917
section shall be considered a demand for discovery pursuant to 1918
the Criminal Rules, except to the extent that the Criminal Rules 1919
plainly indicate a contrary intent. The defendant, counsel of 1920
the defendant, or agent of the defendant making a request under 1921
this division shall serve a copy of the request on the 1922
prosecuting attorney, director of law, or other chief legal 1923
officer responsible for prosecuting the action. 1924

(H) (1) Any portion of a body-worn camera or dashboard 1925
camera recording described in divisions (A) (17) (b) to (h) of 1926
this section may be released by consent of the subject of the 1927
recording or a representative of that person, as specified in 1928
those divisions, only if either of the following applies: 1929

(a) The recording will not be used in connection with any 1930
probable or pending criminal proceedings; 1931

(b) The recording has been used in connection with a 1932
criminal proceeding that was dismissed or for which a judgment 1933
has been entered pursuant to Rule 32 of the Rules of Criminal 1934

Procedure, and will not be used again in connection with any 1935
probable or pending criminal proceedings. 1936

(2) If a public office denies a request to release a 1937
restricted portion of a body-worn camera or dashboard camera 1938
recording, as defined in division (A)(17) of this section, any 1939
person may file a mandamus action pursuant to this section or a 1940
complaint with the clerk of the court of claims pursuant to 1941
section 2743.75 of the Revised Code, requesting the court to 1942
order the release of all or portions of the recording. If the 1943
court considering the request determines that the filing 1944
articulates by clear and convincing evidence that the public 1945
interest in the recording substantially outweighs privacy 1946
interests and other interests asserted to deny release, the 1947
court shall order the public office to release the recording. 1948

Sec. 173.501. (A) As used in this section: 1949

"Nursing facility" has the same meaning as in section 1950
5165.01 of the Revised Code. 1951

"PACE provider" has the same meaning as in the "Social 1952
Security Act," section 1934(a)(3), 42 U.S.C. 1396u-4(a)(3). 1953

(B) The department of aging shall establish a home first 1954
component of the PACE program under which eligible individuals 1955
may be enrolled in the PACE program in accordance with this 1956
section. An individual is eligible for the PACE program's home 1957
first component if both of the following apply: 1958

(1) The individual has been determined to be eligible for 1959
the PACE program. 1960

(2) At least one of the following applies: 1961

(a) The individual has been admitted to a nursing 1962

facility. 1963

(b) A physician has determined and documented ~~in writing~~ 1964
that the individual has a medical condition that, unless the 1965
individual is enrolled in home and community-based services such 1966
as the PACE program, will require the individual to be admitted 1967
to a nursing facility within thirty days of the physician's 1968
determination. 1969

(c) The individual has been hospitalized and a physician 1970
has determined and documented ~~in writing~~ that, unless the 1971
individual is enrolled in home and community-based services such 1972
as the PACE program, the individual is to be transported 1973
directly from the hospital to a nursing facility and admitted. 1974

(d) Both of the following apply: 1975

(i) The individual is the subject of a report made under 1976
section 5101.63 of the Revised Code regarding abuse, neglect, or 1977
exploitation or such a report referred to a county department of 1978
job and family services under section 5126.31 of the Revised 1979
Code or has made a request to a county department for protective 1980
services as defined in section 5101.60 of the Revised Code. 1981

(ii) A county department of job and family services and an 1982
area agency on aging have jointly documented in writing that, 1983
unless the individual is enrolled in home and community-based 1984
services such as the PACE program, the individual should be 1985
admitted to a nursing facility. 1986

(C) Each month, the department of aging shall identify 1987
individuals who are eligible for the home first component of the 1988
PACE program. When the department identifies such an individual, 1989
the department shall notify the PACE provider serving the area 1990
in which the individual resides. The PACE provider shall 1991

determine whether the PACE program is appropriate for the 1992
individual and whether the individual would rather participate 1993
in the PACE program than continue or begin to reside in a 1994
nursing facility. If the PACE provider determines that the PACE 1995
program is appropriate for the individual and the individual 1996
would rather participate in the PACE program than continue or 1997
begin to reside in a nursing facility, the PACE provider shall 1998
so notify the department of aging. On receipt of the notice from 1999
the PACE provider, the department of aging shall approve the 2000
individual's enrollment in the PACE program in accordance with 2001
priorities established in rules adopted under section 173.50 of 2002
the Revised Code. 2003

Sec. 307.6910. (A) A new nonprofit corporation shall be 2004
organized under the laws of this state for the purpose of 2005
operating a veterans memorial and museum to be located within 2006
the city of Columbus at the site described in division (B) of 2007
this section. 2008

(B) The site of the veterans memorial and museum, shall be 2009
constructed on the following parcel of real property owned in 2010
fee simple by the board of county commissioners of Franklin 2011
county: 2012

That property located at 300 West Broad Street, Columbus, 2013
Ohio, generally lying north of Broad Street, south of the right- 2014
of-way line of Norfolk and Southern Railway, west of the Scioto 2015
River and its floodwall, and east of the east line of Belle 2016
Street if the same extended north of Broad Street to the 2017
railroad right-of-way. 2018

(C) The bylaws of the new nonprofit corporation shall 2019
provide for the board of directors to consist of a minimum of 2020
fifteen members. The appointments to the board of directors 2021

shall be made in accordance with the articles of incorporation 2022
and bylaws of the nonprofit corporation. All appointments to the 2023
board of directors shall satisfy any qualifications set forth in 2024
the nonprofit corporation's bylaws. The appointments to the 2025
board of directors shall be made as follows: 2026

(1) The board of county commissioners of Franklin county 2027
shall appoint five members. 2028

(2) The articles of incorporation shall provide for the 2029
remaining appointments. 2030

(D) The bylaws of the new nonprofit corporation shall 2031
provide for a national veterans advisory committee to consist of 2032
veterans and family members of veterans. Appointments to the 2033
national veterans advisory committee shall be made in accordance 2034
with the bylaws of the nonprofit corporation. 2035

(E) All Notwithstanding any other provision of the Revised 2036
Code, meetings and records of the board of directors of the new 2037
nonprofit corporation shall be conducted and maintained in 2038
accordance with the sunshine laws of this state, including, but 2039
not limited to, sections are not subject to section 121.22 and 2040
149.43 of the Revised Code, and records of the board and of the 2041
corporation are not public records under section 149.43 of the 2042
Revised Code. 2043

(F) The board of county commissioners of Franklin county 2044
may lease the site described in division (B) of this section 2045
together with any adjacent property, without engaging in 2046
competitive bidding, to an Ohio nonprofit corporation for the 2047
construction, development, and operation of the veterans 2048
memorial and museum. A board of county commissioners may 2049
appropriate funds to either the nonprofit corporation 2050

established as provided in this section or the nonprofit 2051
corporation with which the county has leased the property for 2052
permanent improvements and operating expenses of the veterans 2053
memorial and museum. 2054

Sec. 1710.02. ~~(A)~~(A) (1) A special improvement district may 2055
be created within the boundaries of any one municipal 2056
corporation, any one township, or any combination of municipal 2057
corporations and townships within a single county, or counties 2058
that adjoin one another, for the purpose of developing and 2059
implementing plans for public improvements and public services 2060
that benefit the district. A district may be created by petition 2061
of the owners of real property within the proposed district, or 2062
by an existing qualified nonprofit corporation. ~~If~~ 2063

(2) If the district is created by an existing qualified 2064
nonprofit corporation, the purposes for which the district is 2065
created may be supplemental to the other purposes for which the 2066
corporation is organized. ~~All~~The corporation is considered a 2067
special improvement district only when it acts with respect to a 2068
purpose for which the district is created, and not when it acts 2069
with respect to any other purpose for which it is organized. 2070

(3) All territory in a special improvement district shall 2071
be contiguous; except that the territory in a special 2072
improvement district may be noncontiguous if at least one 2073
special energy improvement project or shoreline improvement 2074
project is designated for each parcel of real property included 2075
within the special improvement district. Additional territory 2076
may be added to a special improvement district created under 2077
this chapter for the purpose of developing and implementing 2078
plans for special energy improvement projects or shoreline 2079
improvement projects if at least one special energy improvement 2080

project or shoreline improvement project, respectively, is 2081
designated for each parcel of real property included within such 2082
additional territory and the addition of territory is authorized 2083
by the initial plan proposed under division (F) of this section 2084
or a plan adopted by the board of directors of the special 2085
improvement district under section 1710.06 of the Revised Code. 2086

(4) The district shall be governed by the board of 2087
trustees of a nonprofit corporation. This board shall be known 2088
as the board of directors of the special improvement district. 2089
~~No~~ 2090

(5) ~~No~~ special improvement district shall include any 2091
church property, or property of the federal or state government 2092
or a county, township, or municipal corporation, unless the 2093
church or the county, township, or municipal corporation 2094
specifically requests in writing that the property be included 2095
within the district, or unless the church is a member of the 2096
existing qualified nonprofit corporation creating the district 2097
at the time the district is created. ~~A~~ 2098

(6) ~~A~~ shoreline improvement project may extend into the 2099
territory of Lake Erie as described in sections 1506.10 and 2100
1506.11 of the Revised Code. However, the state shall remain 2101
exempt from any special assessment that may be levied against 2102
that territory under section 1710.06 and Chapter 727. of the 2103
Revised Code. ~~More~~ 2104

(7) ~~More~~ than one district may be created within a 2105
participating political subdivision, but no real property may be 2106
included within more than one district unless the owner of the 2107
property files a written consent with the clerk of the 2108
legislative authority, the township fiscal officer, or the 2109
village clerk, as appropriate. ~~The~~ 2110

(8) The area of each district shall be contiguous; except 2111
that the area of a special improvement district may be 2112
noncontiguous if all parcels of real property included within 2113
such area contain at least one special energy improvement or 2114
shoreline improvement thereon. 2115

~~(B) Except as provided in~~ Subject to division (A) (2) of 2116
this section, ~~a~~ all of the following apply: 2117

(1) A district created under this chapter is not a 2118
political subdivision, except for purposes of section 4905.34 of 2119
the Revised Code. A- 2120

(2) A district created under this chapter shall be 2121
considered a public agency under section 102.01 and a public 2122
authority under section 4115.03 of the Revised Code. ~~Each member~~ 2123
~~of the board of directors of a district, each member's designee~~ 2124
~~or proxy, and each officer and employee of a district shall be~~ 2125
~~considered a public official or employee under section 102.01 of~~ 2126
~~the Revised Code and a public official and public servant under~~ 2127
~~section 2921.42 of the Revised Code. Districts-~~ 2128

(3) Districts created under this chapter are not subject 2129
to sections 121.81 to 121.83 of the Revised Code. Districts 2130
created under this chapter are subject to sections 121.22 and 2131
121.23 of the Revised Code. 2132

(4) All records of the district are public records under 2133
section 149.43 of the Revised Code, except that records of 2134
organizations contracting with a district are not public records 2135
under section 149.43 or section 149.431 of the Revised Code 2136
solely by reason of any contract with a district. 2137

~~(C) Each district created under this chapter shall be~~ 2138
~~considered a political subdivision for purposes of section~~ 2139

~~4905.34 of the Revised Code.~~ (C) (1) Subject to division (C) (2) of
this section, both of the following apply: 2140
2141

(a) Membership on the board of directors of the district 2142
shall not be considered as holding a public office. ~~Directors—~~ 2143
However, each member of the board of directors of a district, 2144
each member's designee or proxy, and each officer or employee of 2145
a district is a public official or employee under section 102.01 2146
and a public official under section 2921.42 of the Revised Code. 2147
District officers and district members and directors and their 2148
designees or proxies are not required to file a statement with 2149
the Ohio ethics commission under section 102.02 of the Revised 2150
Code. 2151

(b) Directors and their designees shall be entitled to the 2152
immunities provided by Chapter 1702. and to the same immunity as 2153
an employee under division (A) (6) of section 2744.03 of the 2154
Revised Code, except that directors and their designees shall 2155
not be entitled to the indemnification provided in section 2156
2744.07 of the Revised Code unless the director or designee is 2157
an employee or official of a participating political subdivision 2158
of the district and is acting within the scope of the director's 2159
or designee's employment or official responsibilities. 2160

(2) District officers and district members and directors 2161
of a district created by an existing qualified nonprofit 2162
corporation, and their designees or proxies shall not be 2163
required to file a statement with the Ohio ethics commission 2164
under section 102.02 of the Revised Code. All records of the 2165
district shall be treated as public records under section 149.43 2166
of the Revised Code, except that records of organizations 2167
contracting with a district shall not be considered to be public 2168
records under section 149.43 or section 149.431 of the Revised 2169

~~Code solely by reason of any contract with a district, are~~ 2170
~~public officials or employees under section 102.01 and public~~ 2171
~~officials under section 2921.42 of the Revised Code by virtue of~~ 2172
~~their positions with the corporation only when they act with~~ 2173
~~respect to a purpose for which the district is created, and not~~ 2174
~~when they act with respect to any other purpose for which the~~ 2175
~~corporation is organized.~~ 2176

(D) Except as otherwise provided in this section, the 2177
nonprofit corporation that governs a district shall be organized 2178
in the manner described in Chapter 1702. of the Revised Code. 2179
Except in the case of a district created by an existing 2180
qualified nonprofit corporation, the corporation's articles of 2181
incorporation are required to be approved, as provided in 2182
division (E) of this section, by resolution of the legislative 2183
authority of each participating political subdivision of the 2184
district. A copy of that resolution shall be filed along with 2185
the articles of incorporation in the secretary of state's 2186
office. 2187

In addition to meeting the requirements for articles of 2188
incorporation set forth in Chapter 1702. of the Revised Code, 2189
the articles of incorporation for the nonprofit corporation 2190
governing a district formed under this chapter shall provide all 2191
the following: 2192

(1) The name for the district, which shall include the 2193
name of each participating political subdivision of the 2194
district; 2195

(2) A description of the territory within the district, 2196
which may be all or part of each participating political 2197
subdivision. The description shall be specific enough to enable 2198
real property owners to determine if their property is located 2199

within the district. 2200

(3) A description of the procedure by which the articles 2201
of incorporation may be amended. The procedure shall include 2202
receiving approval of the amendment, by resolution, from the 2203
legislative authority of each participating political 2204
subdivision and filing the approved amendment and resolution 2205
with the secretary of state. 2206

(4) The reasons for creating the district, plus an 2207
explanation of how the district will be conducive to the public 2208
health, safety, peace, convenience, and welfare of the district. 2209

(E) The articles of incorporation for a nonprofit 2210
corporation governing a district created under this chapter and 2211
amendments to them shall be submitted to the municipal 2212
executive, if any, and the legislative authority of each 2213
municipal corporation or township in which the proposed district 2214
is to be located. Except in the case of a district created by an 2215
existing qualified nonprofit corporation, the articles or 2216
amendments shall be accompanied by a petition signed either by 2217
the owners of at least sixty per cent of the front footage of 2218
all real property located in the proposed district that abuts 2219
upon any street, alley, public road, place, boulevard, parkway, 2220
park entrance, easement, or other existing public improvement 2221
within the proposed district, excluding church property or 2222
property owned by the state, county, township, municipal, or 2223
federal government, unless a church, county, township, or 2224
municipal corporation has specifically requested in writing that 2225
the property be included in the district, or by the owners of at 2226
least seventy-five per cent of the area of all real property 2227
located within the proposed district, excluding church property 2228
or property owned by the state, county, township, municipal, or 2229

federal government, unless a church, county, township, or 2230
municipal corporation has specifically requested in writing that 2231
the property be included in the district. Pursuant to Section 2o 2232
of Article VIII, Ohio Constitution, the petition required under 2233
this division may be for the purpose of developing and 2234
implementing plans for special energy improvement projects or 2235
shoreline improvement projects, and, in such case, is determined 2236
to be in furtherance of the purposes set forth in Section 2o of 2237
Article VIII, Ohio Constitution. Except as provided in division 2238
(H) of this section, if a special improvement district is being 2239
created under this chapter for the purpose of developing and 2240
implementing plans for special energy improvement projects or 2241
shoreline improvement projects, the petition required under this 2242
division shall be signed by one hundred per cent of the owners 2243
of the area of all real property located within the proposed 2244
special improvement district, at least one special energy 2245
improvement project or shoreline improvement project shall be 2246
designated for each parcel of real property within the special 2247
improvement district, and the special improvement district may 2248
include any number of parcels of real property as determined by 2249
the legislative authority of each participating political 2250
subdivision in which the proposed special improvement district 2251
is to be located. For purposes of determining compliance with 2252
these requirements, the area of the district, or the front 2253
footage and ownership of property, shall be as shown in the most 2254
current records available at the county recorder's office and 2255
the county engineer's office sixty days prior to the date on 2256
which the petition is filed. 2257

Each municipal corporation or township with which the 2258
petition is filed has sixty days to approve or disapprove, by 2259
resolution, the petition, including the articles of 2260

incorporation. In the case of a district created by an existing 2261
qualified nonprofit corporation, each municipal corporation or 2262
township has sixty days to approve or disapprove the creation of 2263
the district after the corporation submits the articles of 2264
incorporation or amendments thereto. This chapter does not 2265
prohibit or restrict the rights of municipal corporations under 2266
Article XVIII of the Ohio Constitution or the right of the 2267
municipal legislative authority to impose reasonable conditions 2268
in a resolution of approval. The acquisition, installation, 2269
equipping, and improvement of a special energy improvement 2270
project under this chapter shall not supersede any local zoning, 2271
environmental, or similar law or regulation. In addition, all 2272
activities associated with a shoreline improvement project that 2273
is implemented under this chapter shall comply with all 2274
applicable local zoning requirements, all local, state, and 2275
federal environmental laws and regulations, and all applicable 2276
requirements established in Chapter 1506. of the Revised Code 2277
and rules adopted under it. 2278

(F) Persons proposing creation and operation of the 2279
district may propose an initial plan for public services or 2280
public improvements that benefit all or any part of the 2281
district. Any initial plan shall be submitted as part of the 2282
petition proposing creation of the district or, in the case of a 2283
district created by an existing qualified nonprofit corporation, 2284
shall be submitted with the articles of incorporation or 2285
amendments thereto. 2286

An initial plan may include provisions for the following: 2287

(1) Creation and operation of the district and of the 2288
nonprofit corporation to govern the district under this chapter; 2289

(2) Hiring employees and professional services; 2290

(3) Contracting for insurance;	2291
(4) Purchasing or leasing office space and office equipment;	2292 2293
(5) Other actions necessary initially to form, operate, or organize the district and the nonprofit corporation to govern the district;	2294 2295 2296
(6) A plan for public improvements or public services that benefit all or part of the district, which plan shall comply with the requirements of division (A) of section 1710.06 of the Revised Code and may include, but is not limited to, any of the permissive provisions described in the fourth sentence of that division or listed in divisions (A) (1) to (7) of that section;	2297 2298 2299 2300 2301 2302
(7) If the special improvement district is being created under this chapter for the purpose of developing and implementing plans for special energy improvement projects or shoreline improvement projects, provision for the addition of territory to the special improvement district.	2303 2304 2305 2306 2307
After the initial plan is approved by all municipal corporations and townships to which it is submitted for approval and the district is created, each participating subdivision shall levy a special assessment within its boundaries to pay for the costs of the initial plan. The levy shall be for no more than ten years from the date of the approval of the initial plan; except that if the proceeds of the levy are to be used to pay the costs of a special energy improvement project or shoreline improvement project, the levy of a special assessment shall be for no more than thirty years from the date of approval of the initial plan. In the event that additional territory is added to a special improvement district, the special assessment	2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319

to be levied with respect to such additional territory shall 2320
commence not earlier than the date such territory is added and 2321
shall be for no more than thirty years from such date. For 2322
purposes of levying an assessment for this initial plan, the 2323
services or improvements included in the initial plan shall be 2324
deemed a special benefit to property owners within the district. 2325

(G) Each nonprofit corporation governing a district under 2326
this chapter may do the following: 2327

(1) Exercise all powers of nonprofit corporations granted 2328
under Chapter 1702. of the Revised Code that do not conflict 2329
with this chapter; 2330

(2) Develop, adopt, revise, implement, and repeal plans 2331
for public improvements and public services for all or any part 2332
of the district; 2333

(3) Contract with any person, political subdivision as 2334
defined in section 2744.01 of the Revised Code, or state agency 2335
as defined in section 1.60 of the Revised Code to develop and 2336
implement plans for public improvements or public services 2337
within the district; 2338

(4) Contract and pay for insurance for the district and 2339
for directors, officers, agents, contractors, employees, or 2340
members of the district for any consequences of the 2341
implementation of any plan adopted by the district or any 2342
actions of the district. 2343

The board of directors of a special improvement district 2344
may, acting as agent and on behalf of a participating political 2345
subdivision, sell, transfer, lease, or convey any special energy 2346
improvement project owned by the participating political 2347
subdivision upon a determination by the legislative authority 2348

thereof that the project is not required to be owned exclusively 2349
by the participating political subdivision for its purposes, for 2350
uses determined by the legislative authority thereof as those 2351
that will promote the welfare of the people of such 2352
participating political subdivision; improve the quality of life 2353
and the general and economic well-being of the people of the 2354
participating political subdivision; better ensure the public 2355
health, safety, and welfare; protect water and other natural 2356
resources; provide for the conservation and preservation of 2357
natural and open areas and farmlands, including by making urban 2358
areas more desirable or suitable for development and 2359
revitalization; control, prevent, minimize, clean up, or mediate 2360
certain contamination of or pollution from lands in the state 2361
and water contamination or pollution; or provide for safe and 2362
natural areas and resources. The legislative authority of each 2363
participating political subdivision shall specify the 2364
consideration for such sale, transfer, lease, or conveyance and 2365
any other terms thereof. Any determinations made by a 2366
legislative authority of a participating political subdivision 2367
under this division shall be conclusive. 2368

Any sale, transfer, lease, or conveyance of a special 2369
energy improvement project by a participating political 2370
subdivision or the board of directors of the special improvement 2371
district may be made without advertising, receipt of bids, or 2372
other competitive bidding procedures applicable to the 2373
participating political subdivision or the special improvement 2374
district under Chapter 153. or 735. or section 1710.11 of the 2375
Revised Code or other representative provisions of the Revised 2376
Code. 2377

(H) The owner of real property that is part of a planned 2378
community or a condominium development is deemed to have signed 2379

the petitions required under division (E) of this section and 2380
division (B) of section 1710.06 of the Revised Code with respect 2381
to a special improvement district that is being created for the 2382
purpose of developing and implementing plans for shoreline 2383
improvement projects if the district and the projects have been 2384
approved through an alternative process prescribed by the 2385
bylaws, declarations, covenants, and restrictions governing the 2386
planned community or condominium development. Such an 2387
alternative process may consist of a vote of the owners 2388
association or unit owners association, the approval of a 2389
specified percentage of property owners, or any other procedure 2390
authorized by the bylaws, declarations, covenants, and 2391
restrictions governing the planned community or condominium 2392
development. 2393

As used in this division, "condominium development" and 2394
"unit owners association" have the same meanings as in section 2395
5311.01 of the Revised Code, and "planned community," "owners 2396
association," "bylaws," and "declaration" have the same meanings 2397
as in section 5312.01 of the Revised Code. 2398

Sec. 2101.16. (A) Except as provided in section 2101.164 2399
of the Revised Code, the fees enumerated in this division shall 2400
be charged and collected, if possible, by the probate judge and 2401
shall be in full for all services rendered in the respective 2402
proceedings: 2403

2404

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A (1) Account, in addition to advertising charges

B	_____	\$12.00
C	Waivers and proof of notice of hearing on account, per page, minimum one dollar	
D	_____	\$1.00
E	(2) Account of distribution, in addition to advertising charges	
F	_____	\$7.00
G	(3) Adoption of child, petition for	
H	_____	\$50.00 <u>\$20.00</u>
I	(4) Alter or cancel contract for sale or purchase of real property, complaint to	
J	_____	\$20.00
K	(5) Application and order not otherwise provided for in this section or by rule adopted pursuant to division (E) of this section	
L	_____	\$5.00
M	(6) Appropriation suit, per day, hearing in	
N	_____	\$20.00
O	(7) Birth, application for registration of	

P	_____	\$7.00
Q	(8) Birth record, application to correct	
R	_____	\$5.00
S	(9) Bond, application for new or additional	
T	_____	\$5.00
U	(10) Bond, application for release of surety or reduction of	
V	_____	\$5.00
W	(11) Bond, receipt for securities deposited in lieu of	
X	_____	\$5.00
Y	(12) Certified copy of journal entry, record, or proceeding, per page, minimum fee one dollar	
Z	_____	\$1.00
AA	(13) Citation and issuing citation, application for	
AB	_____	\$5.00
AC	(14) Change of name, petition for	
AD	_____	\$20.00
AE	(15) Claim, application of administrator or executor for allowance of administrator's or executor's own	
AF	_____	\$10.00

AG	(16) Claim, application to compromise or settle	
AH	_____	\$10.00
AI	(17) Claim, authority to present	
AJ	_____	\$10.00
AK	(18) Commissioner, appointment of	
AL	_____	\$5.00
AM	(19) Compensation for extraordinary services and attorney's fees for fiduciary, application for	
AN	_____	\$5.00
AO	(20) Competency, application to procure adjudication of	
AP	_____	\$20.00
AQ	(21) Complete contract, application to	
AR	_____	\$10.00
AS	(22) Concealment of assets, citation for	
AT	_____	\$10.00
AU	(23) Construction of will, complaint for	
AV	_____	\$20.00
AW	(24) Continue decedent's business, application to	
AX	_____	\$10.00

AY	Monthly reports of operation	
AZ	_____	\$5.00
BA	(25) Declaratory judgment, complaint for	
BB	_____	\$20.00
BC	(26) Deposit of will	
BD	_____	\$5.00
BE	(27) Designation of heir	
BF	_____	\$20.00
BG	(28) Distribution in kind, application, assent, and order for	
BH	_____	\$5.00
BI	(29) Distribution under section 2109.36 of the Revised Code, application for an order of	
BJ	_____	\$7.00
BK	(30) Docketing and indexing proceedings, including the filing and noting of all necessary documents, maximum fee, fifteen dollars	
BL	_____	\$15.00
BM	(31) Exceptions to any proceeding named in this section, contest of appointment or	

BN	_____	\$10.00
BO	(32) Election of surviving partner to purchase assets of partnership, proceedings relating to	
BP	_____	\$10.00
BQ	(33) Election of surviving spouse under will	
BR	_____	\$5.00
BS	(34) Fiduciary, including an assignee or trustee of an insolvent debtor or any guardian or conservator accountable to the probate court, appointment of	
BT	_____	\$35.00
BU	(35) Foreign will, application to record	
BV	_____	\$10.00
BW	Record of foreign will, additional, per page	
BX	_____	\$1.00
BY	(36) Forms when supplied by the probate court, not to exceed	
BZ	_____	\$10.00
CA	(37) Heirship, complaint to determine	
CB	_____	\$20.00
CC	(38) Injunction proceedings	

CD	_____	\$20.00
CE	(39) Improve real property, petition to	
CF	_____	\$20.00
CG	(40) Inventory with appraisement	
CH	_____	\$10.00
CI	(41) Inventory without appraisement	
CJ	_____	\$7.00
CK	(42) Investment or expenditure of funds, application for	
CL	_____	\$10.00
CM	(43) Invest in real property, application to	
CN	_____	\$10.00
CO	(44) Lease for oil, gas, coal, or other mineral, petition to	
CP	_____	\$20.00
CQ	(45) Lease or lease and improve real property, petition to	
CR	_____	\$20.00
CS	(46) Marriage license	
CT	_____	\$10.00
CU	Certified abstract of each marriage	

CV	_____	\$2.00
CW	(47) Minor or incompetent person, etc., disposal of estate under twenty-five thousand dollars of	
CX	_____	\$10.00
CY	(48) Mortgage or mortgage and repair or improve real property, complaint to	
CZ	_____	\$20.00
DA	(49) Newly discovered assets, report of	
DB	_____	\$7.00
DC	(50) Nonresident executor or administrator to bar creditors' claims, proceedings by	
DD	_____	\$20.00
DE	(51) Power of attorney or revocation of power, bonding company	
DF	_____	\$10.00
DG	(52) Presumption of death, petition to establish	
DH	_____	\$20.00
DI	(53) Probating will	
DJ	_____	\$15.00
DK	Proof of notice to beneficiaries	

DL	_____	\$5.00
DM	(54) Purchase personal property, application of surviving spouse to	
DN	_____	\$10.00
DO	(55) Purchase real property at appraised value, petition of surviving spouse to	
DP	_____	\$20.00
DQ	(56) Receipts in addition to advertising charges, application and order to record	
DR	_____	\$5.00
DS	Record of those receipts, additional, per page	
DT	_____	\$1.00
DU	(57) Record in excess of fifteen hundred words in any proceeding in the probate court, per page	
DV	_____	\$1.00
DW	(58) Release of estate by mortgagee or other lienholder	
DX	_____	\$5.00
DY	(59) Relieving an estate from administration under section 2113.03 of the Revised Code or granting an order for a summary release from administration under section 2113.031 of the Revised Code	

DZ	_____	\$60.00
EA	(60) Removal of fiduciary, application for	
EB	_____	\$10.00
EC	(61) Requalification of executor or administrator	
ED	_____	\$10.00
EE	(62) Resignation of fiduciary	
EF	_____	\$5.00
EG	(63) Sale bill, public sale of personal property	
EH	_____	\$10.00
EI	(64) Sale of personal property and report, application for	
EJ	_____	\$10.00
EK	(65) Sale of real property, petition for	
EL	_____	\$25.00
EM	(66) Terminate guardianship, petition to	
EN	_____	\$10.00
EO	(67) Transfer of real property, application, entry, and certificate for	
EP	_____	\$7.00
EQ	(68) Unclaimed money, application to invest	

ER	_____	\$7.00
ES	(69) Vacate approval of account or order of distribution, motion to	
ET	_____	\$10.00
EU	(70) Writ of execution	
EV	_____	\$5.00
EW	(71) Writ of possession	
EX	_____	\$5.00
EY	(72) Wrongful death, application and settlement of claim for	
EZ	_____	\$20.00
FA	(73) Year's allowance, petition to review	
FB	_____	\$7.00
FC	(74) Guardian's report, filing and review of	
FD	_____	\$5.00
FE	(75) Mentally ill person subject to court order, filing of affidavit and proceedings for	
FF	_____	\$25.00

(B) (1) In relation to an application for the appointment	2405
of a guardian or the review of a report of a guardian under	2406
section 2111.49 of the Revised Code, the probate court, pursuant	2407

to court order or in accordance with a court rule, may direct 2408
that the applicant or the estate pay any or all of the expenses 2409
of an investigation conducted pursuant to section 2111.041 or 2410
division (A) (2) of section 2111.49 of the Revised Code. If the 2411
investigation is conducted by a public employee or investigator 2412
who is paid by the county, the fees for the investigation shall 2413
be paid into the county treasury. If the court finds that an 2414
alleged incompetent or a ward is indigent, the court may waive 2415
the costs, fees, and expenses of an investigation. 2416

(2) In relation to the appointment or functioning of a 2417
guardian for a minor or the guardianship of a minor, the probate 2418
court may direct that the applicant or the estate pay any or all 2419
of the expenses of an investigation conducted pursuant to 2420
section 2111.042 of the Revised Code. If the investigation is 2421
conducted by a public employee or investigator who is paid by 2422
the county, the fees for the investigation shall be paid into 2423
the county treasury. If the court finds that the guardian or 2424
applicant is indigent, the court may waive the costs, fees, and 2425
expenses of an investigation. 2426

(3) In relation to the filing of an affidavit of mental 2427
illness for a mentally ill person subject to court order, the 2428
court may waive the fee under division (A) (75) of this section 2429
if the court finds that the affiant is indigent or for good 2430
cause shown. 2431

(C) Thirty dollars of the thirty-five-dollar fee collected 2432
pursuant to division (A) (34) of this section and twenty dollars 2433
of the sixty-dollar fee collected pursuant to division (A) (59) 2434
of this section shall be deposited by the county treasurer in 2435
the indigent guardianship fund created pursuant to section 2436
2111.51 of the Revised Code. 2437

(D) The fees of witnesses, jurors, sheriffs, coroners, and constables for services rendered in the probate court or by order of the probate judge shall be the same as provided for similar services in the court of common pleas.

(E) The probate court, by rule, may require an advance deposit for costs, not to exceed one hundred twenty-five dollars, at the time application is made for an appointment as executor or administrator or at the time a will is presented for probate.

(F) (1) ~~Thirty dollars of the fifty-dollar fee collected pursuant to division (A) (3) of this section shall be deposited into the~~ The "putative father registry fund," ~~which~~ is hereby created in the state treasury. The department of job and family services shall use the money in the fund to fund the department's costs of performing its duties related to the putative father registry established under section 3107.062 of the Revised Code.

(2) If the department determines that money in the putative father registry fund is more than is needed for its duties related to the putative father registry, the department may use the surplus moneys in the fund as permitted in division (C) of section 2151.3534, division (B) of section ~~2151.3530~~2151.3535, or section 5103.155 of the Revised Code.

Sec. 2915.092. (A) (1) Subject to division (A) (2) of this section, a person or entity ~~that is exempt from federal income taxation under subsection 501(a) and is described in subsection 501(e) (3), 501(e) (4), 501(e) (6), 501(e) (7), 501(e) (8), 501(e) (10), or 501(e) (19) of the Internal Revenue Code~~ may conduct a raffle to raise money for the person or entity and does not need a license to conduct bingo in order to conduct a raffle drawing

that is not for profit if the person or entity is any of the 2468
following: 2469

(a) Exempt from federal income taxation under subsection 2470
501(a) and described in subsection 501(c)(3) of the Internal 2471
Revenue Code; 2472

(b) A school district, community school established under 2473
Chapter 3314. of the Revised Code, STEM school established under 2474
Chapter 3326. of the Revised Code, college-preparatory boarding 2475
school established under Chapter 3328. of the Revised Code, or 2476
chartered nonpublic school; 2477

(c) Exempt from federal income taxation under subsection 2478
501(a) and described in subsection 501(c)(4), 501(c)(6), 501(c) 2479
(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal 2480
Revenue Code. 2481

(2) If a person or entity that is described in division 2482
~~(A)(1)(A)(1)(c)~~ of this section, ~~but that is not also described~~ 2483
~~in subsection 501(c)(3) of the Internal Revenue Code,~~ conducts a 2484
raffle, the person or entity shall distribute at least fifty per 2485
cent of the net profit from the raffle to a charitable purpose 2486
described in division (V) of section 2915.01 of the Revised Code 2487
or to a department or agency of the federal government, the 2488
state, or any political subdivision. 2489

(B) Except as provided in division (A) ~~or (B)~~ of this 2490
section, no person shall conduct a raffle drawing that is for 2491
profit or a raffle drawing that is not for profit. 2492

(C) Whoever violates division (B) of this section is 2493
guilty of illegal conduct of a raffle. Except as otherwise 2494
provided in this division, illegal conduct of a raffle is a 2495
misdemeanor of the first degree. If the offender previously has 2496

been convicted of a violation of division (B) of this section, 2497
illegal conduct of a raffle is a felony of the fifth degree. 2498

Sec. 3310.70. (A) A student is an "eligible student" for 2499
purposes of this section if the student is at least six but no 2500
more than eighteen years old and ~~the~~ at least one of the 2501
following conditions is met: 2502

(1) The student's family adjusted gross income, as defined 2503
in section 5747.01 of the Revised Code, is at or below ~~three~~ 2504
four hundred per cent of the federal poverty guidelines, as 2505
defined in section 5101.46 of the Revised Code. 2506

(2) The student's resident district, as defined in section 2507
3310.01 of the Revised Code, had a chronic absenteeism rate 2508
ranked in the highest ten per cent of school districts in the 2509
most recent school year. 2510

(3) The student's resident district operates one or more 2511
school buildings described in division (A)(1) of section 3310.03 2512
of the Revised Code or is a district described in division (C) 2513
of that section. 2514

(4) The student's resident district is a school district 2515
in which the pilot program is operating under sections 3313.974 2516
to 3313.979 of the Revised Code. 2517

For the purpose of division (A)(1) of this section, a 2518
student's parent or guardian may certify income eligibility to 2519
the department of education by submitting, in a manner 2520
determined by the department, an affidavit affirming the 2521
student's family income meets the requirement, proof of income 2522
eligibility under another state or federal program, or other 2523
evidence determined appropriate by the department. 2524

(B)(1) There is hereby established the afterschool child 2525

enrichment (ACE) educational savings account program. The 2526
department of education shall adopt rules under Chapter 119. of 2527
the Revised Code that prescribe procedures for the establishment 2528
of these accounts in fiscal years ~~2022 and~~, 2023, and 2024 upon 2529
the request of the parent or guardian of an eligible student 2530
enrolled in a public or nonpublic school or an eligible student 2531
who has been excused from the compulsory attendance law for the 2532
purpose of home instruction under section 3321.04 of the Revised 2533
Code. Accounts shall be established on a first-come, first- 2534
served basis according to the availability of funds appropriated 2535
for purposes of this section. 2536

Accounts shall be used in accordance with division (E) of 2537
this section. Any balance remaining in a student's account after 2538
fiscal year ~~2023-2024~~ shall remain in that account for use as 2539
prescribed in division (D) (3) of this section. 2540

Except as provided for in divisions (C) (3) and (D) (3) of 2541
this section, neither the department nor the vendor shall 2542
reclaim any funds credited to a student's account. 2543

(2) The department shall create an online form for parents 2544
and guardians to request the establishment of an account under 2545
this section. 2546

(C) (1) The department shall contract with a vendor for 2547
purposes of administering the provisions of this section and may 2548
contract with the treasurer of state for technical assistance. 2549
In selecting a vendor, the department shall give preference to 2550
those vendors who use a smart phone application that is free for 2551
parents or guardians to use, is capable of scanning receipts, 2552
allows users to provide program feedback, and includes customer 2553
service contact information for parents and guardians who 2554
experience technical issues with the application. For each 2555

fiscal year in which the program operates, the department shall 2556
pay the vendor not more than three per cent of the amount 2557
appropriated for that fiscal year for purposes of this section. 2558

(2) The vendor selected by the department under division 2559
(C) (2) of this section shall do both of the following: 2560

(a) Monitor how accounts are used by parents or guardians 2561
and recoup moneys that are used for purposes that are not 2562
authorized by this section as determined by the vendor; 2563

(b) Provide the department with a comprehensive list of 2564
purchases made with accounts. 2565

(3) At no time shall the vendor authorize parents or 2566
guardians to use moneys for purposes that are not authorized by 2567
this section as determined by the vendor. If the vendor 2568
authorizes parents or guardians to use moneys for a specified 2569
purpose and later determines that purpose is not authorized by 2570
this section, the vendor may recoup that money. 2571

(D) (1) If a parent or guardian makes a request under 2572
division (B) of this section during fiscal year 2022, five 2573
hundred dollars shall be credited to the account established 2574
pursuant to the parent's or guardian's request within fourteen 2575
days of the parent's or guardian's request, and that amount 2576
shall be disbursed upon request to the parent or guardian not 2577
later than June 30, 2022, for use in accordance with division 2578
(E) of this section. Any amount remaining in an account at the 2579
end of fiscal year 2022 shall remain in that account for fiscal 2580
year 2023 for use in accordance with division (E) of this 2581
section. 2582

(2) If a parent or guardian makes a request under division 2583
(B) of this section during fiscal year 2023 or 2024, ~~five~~ 2584

~~hundred one thousand~~ dollars shall be credited to the account 2585
established pursuant to the parent's or guardian's request 2586
within fourteen days of the parent's or guardian's request, and 2587
that amount shall be disbursed upon request to the parent or 2588
guardian not later than June 30, 2023, for fiscal year 2023 or 2589
June 30, 2024, for fiscal year 2024 for use in accordance with 2590
division (E) of this section. If a parent or guardian had an 2591
account established for the previous fiscal year~~2022~~, that 2592
amount shall be credited and distributed to that account for use 2593
in accordance with division (E) of this section. 2594

For each account credited five hundred dollars for fiscal 2595
year 2023 prior to the effective date of this amendment, the 2596
department shall credit an additional five hundred dollars for 2597
that year. The total amount credited to an account for fiscal 2598
year 2023 shall not exceed one thousand dollars. 2599

Nothing in division (D) (2) of this section shall be 2600
construed to limit the amount of the total balance in an 2601
account. 2602

(3) Any amount remaining in an account established under 2603
division (B) of this section at the end of fiscal year ~~2023~~2024 2604
shall remain in that account for use in accordance with division 2605
(E) of this section in future fiscal years until either the full 2606
amount has been spent or the student graduates from high school. 2607
Any amount remaining in the account of a student who graduates 2608
from high school shall be returned to the department. 2609

(E) Subject to division (F) of this section, moneys 2610
credited to an education savings account established under 2611
division (B) of this section shall be used by an eligible 2612
student's parent or guardian for any of the following purposes, 2613
whether secular or nonsecular: 2614

(1) Before- or after-school educational programs;	2615
(2) Day camps, including camps for academics, music, and arts;	2616 2617
(3) Tuition at learning extension centers;	2618
(4) Tuition for learning pods;	2619
(5) If the student has been excused from the compulsory attendance law for the purpose of home instruction under section 3321.04 of the Revised Code, purchase of curriculum and materials;	2620 2621 2622 2623
(6) Educational, learning, or study skills services;	2624
(7) Field trips to historical landmarks, museums, science centers, and theaters, including admission, exhibit, and program fees;	2625 2626 2627
(8) Language classes;	2628
(9) Instrument lessons;	2629
(10) Tutoring.	2630
(F) At no time shall moneys credited to an account established under division (B) of this section be used for the purchase of electronic devices.	2631 2632 2633
(G) The department shall make available to parents and guardians a list of the purposes for which moneys credited to an account established under division (B) of this section may be spent in accordance with division (E) of this section.	2634 2635 2636 2637
(H) Not later than December 31, 2023, the department shall prepare a report regarding the administration of this section, including feedback from a random sampling of parents and guardians who participate in the program for fiscal year 2022,	2638 2639 2640 2641

~~fiscal year 2023, or both~~ and submit the report to the general 2642
assembly in accordance with section 101.68 of the Revised Code. 2643

Sec. 3317.0212. (A) As used in this section: 2644

(1) For fiscal years 2022 and 2023, "assigned bus" means a 2645
school bus used to transport qualifying riders. 2646

(2) For fiscal years 2022 and 2023, "density" means the 2647
total riders per square mile of a school district. 2648

(3) For fiscal years 2022 and 2023, "nontraditional 2649
ridership" means the average number of qualifying riders who are 2650
enrolled in a community school established under Chapter 3314. 2651
of the Revised Code, in a STEM school established under Chapter 2652
3326. of the Revised Code, or in a nonpublic school and are 2653
provided school bus service by a school district during the 2654
first full week of October. 2655

(4) "Qualifying riders" means the following: 2656

(a) For fiscal years 2022 and 2023, resident students 2657
enrolled in preschool and regular education in grades 2658
kindergarten to twelve who are provided school bus service by a 2659
school district, including students with dual enrollment in a 2660
joint vocational school district or a cooperative education 2661
school district, and students enrolled in a community school, 2662
STEM school, or nonpublic school; 2663

(b) For fiscal year 2024 and each fiscal year thereafter, 2664
students specified by the general assembly. 2665

(5) "Qualifying ridership" means the following: 2666

(a) For fiscal years 2022 and 2023, the greater of the 2667
average number of qualifying riders counted in the morning or 2668
counted in the afternoon who are provided school bus service by 2669

a school district during the first full week of October; 2670

(b) For fiscal year 2024 and each fiscal year thereafter, 2671
a ridership determined in a manner specified by the general 2672
assembly. 2673

(6) "Rider density" means the following: 2674

(a) For fiscal years 2022 and 2023, the following 2675
quotient: 2676

A school district's total number of qualifying riders/ the 2677
number of square miles in the district 2678

(b) For fiscal year 2024 and each fiscal year thereafter, 2679
a number calculated in a manner determined by the general 2680
assembly. 2681

(7) For fiscal years 2022 and 2023, "riders" means 2682
students enrolled in regular and special education in grades 2683
kindergarten through twelve who are provided school bus service 2684
by a school district, including students with dual enrollment in 2685
a joint vocational school district or a cooperative education 2686
school district, and students enrolled in a community school, 2687
STEM school, or nonpublic school. 2688

(8) "School bus service" means a school district's 2689
transportation of qualifying riders in any of the following 2690
types of vehicles: 2691

(a) School buses owned or leased by the district; 2692

(b) School buses operated by a private contractor hired by 2693
the district; 2694

(c) School buses operated by another school district or 2695
entity with which the district has contracted, either as part of 2696

a consortium for the provision of transportation or otherwise. 2697

(B) Not later than the first day of November, for fiscal 2698
years 2022 and 2023, or a date determined by the general 2699
assembly, for fiscal year 2024 and each fiscal year thereafter, 2700
of each year, each city, local, and exempted village school 2701
district shall report to the department of education its 2702
qualifying ridership and any other information requested by the 2703
department. Subsequent adjustments to the reported numbers shall 2704
be made only in accordance with rules adopted by the department. 2705

(C) The department shall calculate the statewide 2706
transportation cost per student as follows: 2707

(1) Determine each city, local, and exempted village 2708
school district's transportation cost per student by dividing 2709
the district's total costs for school bus service in the 2710
previous fiscal year by its qualifying ridership in the previous 2711
fiscal year. 2712

(2) After excluding districts that do not provide school 2713
bus service and the ten districts with the highest 2714
transportation costs per student and the ten districts with the 2715
lowest transportation costs per student, divide the aggregate 2716
cost for school bus service for the remaining districts in the 2717
previous fiscal year by the aggregate qualifying ridership of 2718
those districts in the previous fiscal year. 2719

(D) The department shall calculate the statewide 2720
transportation cost per mile as follows: 2721

(1) Determine each city, local, and exempted village 2722
school district's transportation cost per mile by dividing the 2723
district's total costs for school bus service in the previous 2724
fiscal year by its total number of miles driven for school bus 2725

service in the previous fiscal year.	2726
(2) After excluding districts that do not provide school bus service and the ten districts with the highest transportation costs per mile and the ten districts with the lowest transportation costs per mile, divide the aggregate cost for school bus service for the remaining districts in the previous fiscal year by the aggregate miles driven for school bus service in those districts in the previous fiscal year.	2727 2728 2729 2730 2731 2732 2733
(E) The department shall calculate each city, local, and exempted village school district's transportation base payment as follows:	2734 2735 2736
(1) For fiscal years 2022 and 2023:	2737
(a) Calculate the sum of the following:	2738
(i) The product of the statewide transportation cost per student and the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in the district;	2739 2740 2741 2742
(ii) 1.5 times the statewide transportation cost per student times the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in community schools established under Chapter 3314. of the Revised Code or STEM schools established under Chapter 3326. of the Revised Code;	2743 2744 2745 2746 2747 2748
(iii) 2.0 times the statewide transportation cost per student times the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in nonpublic schools.	2749 2750 2751 2752
(b) Multiply <u>Calculate the sum of the following:</u>	2753

(i) The product of the statewide transportation cost per mile by the district's total and the number of miles driven for school bus service in as reported for qualifying riders for the current fiscal year who are enrolled in the district; 2754
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(ii) 1.5 times the statewide transportation cost per mile times the number of miles driven for school bus service as reported for qualifying riders for the current fiscal year who are enrolled in community schools or STEM schools; 2758
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2761

(iii) 2.0 times the statewide transportation cost per mile times the number of miles driven for school bus service as reported for qualifying riders for the current fiscal year who are enrolled in nonpublic schools. 2762
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(c) Multiply the greater of the amounts calculated under divisions (E) (1) (a) and (b) of this section by the following: 2766
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(i) For fiscal year 2022, the greater of twenty-nine and one-sixth per cent or the district's state share percentage, as defined in section 3317.02 of the Revised Code; 2768
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(ii) For fiscal year 2023, the greater of thirty-three and one-third per cent or the district's state share percentage. 2771
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(2) For fiscal year 2024 and each fiscal year thereafter, an amount determined by the general assembly. 2773
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(F) For fiscal years 2022 and 2023, the department shall pay a district's efficiency adjustment payment in accordance with divisions (F) (1) to (3) of this section. For fiscal year 2024 and each fiscal year thereafter, the department shall pay a district's efficiency adjustment payment in a manner determined by the general assembly, if the general assembly authorizes such a payment to districts. 2775
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(1) The department annually shall establish a target number of qualifying riders per assigned bus for each city, local, and exempted village school district. The department shall use the most recently available data in establishing the target number. The target number shall be based on the statewide median number of riders per assigned bus as adjusted to reflect the district's density in comparison to the density of all other districts. The department shall post on the department's web site each district's target number of riders per assigned bus and a description of how the target number was determined.

(2) The department shall determine each school district's efficiency index by dividing the district's number of riders per assigned bus by its target number of riders per assigned bus.

(3) The department shall determine each city, local, and exempted village school district's efficiency adjustment payment as follows:

(a) If the district's efficiency index is equal to or greater than 1.5, the efficiency adjustment payment shall be calculated according to the following formula:

0.15 X the district's transportation base payment calculated under division (E) of this section

(b) If the district's efficiency index is less than 1.5 but greater than or equal to 1.0, the efficiency adjustment payment shall be calculated according to the following formula:

{[(The district's efficiency index - 1) X 0.15]/0.5} X the district's transportation base payment calculated under division (E) of this section

(c) If the district's efficiency index is less than 1.0, the efficiency adjustment payment shall be zero.

(G) In addition to funds paid under divisions (E), (F), and (H) of this section, each city, local, and exempted village district shall receive in accordance with rules adopted by the state board of education a payment for students transported by means other than school bus service and whose transportation is not funded under division (C) of section 3317.024 of the Revised Code. The rules shall include provisions for school district reporting of such students.

(H) (1) For purposes of division (H) of this section, a school district's "transportation supplement percentage" means the following:

(a) For fiscal years 2022 and 2023, the following quotient:

$$(28 - \text{the district's rider density}) / 100$$

If the result of the calculation for a district under division (H) (1) (a) of this section is less than zero, the district's transportation supplement percentage shall be zero.

(b) For fiscal year 2024 and each fiscal year thereafter, a percentage calculated in a manner determined by the general assembly.

(2) The department shall pay each district a transportation supplement calculated according to the following formula:

The district's transportation supplement percentage X the amount calculated for the district under division (E) (1) (b) of this section X 0.55

(I) (1) If a school district board and a community school governing authority elect to enter into an agreement under

division (A) of section 3314.091 of the Revised Code, the 2839
department shall make payments to the community school according 2840
to the terms of the agreement for each student actually 2841
transported under division (C) (1) of that section. If a 2842
community school governing authority accepts transportation 2843
responsibility under division (B) of that section, the 2844
department shall make payments to the community school for each 2845
student actually transported or for whom transportation is 2846
arranged by the community school under division (C) (1) of that 2847
section, calculated as follows: 2848

(a) For any fiscal year which the general assembly has 2849
specified that transportation payments to school districts be 2850
based on an across-the-board percentage of the district's 2851
payment for the previous school year, the per pupil payment to 2852
the community school shall be the following quotient: 2853

(i) The total amount calculated for the school district in 2854
which the child is entitled to attend school for student 2855
transportation other than transportation of children with 2856
disabilities; divided by 2857

(ii) The number of students included in the district's 2858
transportation ADM for the current fiscal year, as calculated 2859
under section 3317.03 of the Revised Code, plus the number of 2860
students enrolled in the community school not counted in the 2861
district's transportation ADM who are transported under division 2862
(B) (1) or (2) of section 3314.091 of the Revised Code. 2863

(b) For any fiscal year which the general assembly has 2864
specified that the transportation payments to school districts 2865
be calculated in accordance with this section and any rules of 2866
the state board of education implementing this section, the 2867
payment to the community school shall be the following: 2868

(i) For fiscal years 2022 and 2023, either of the following: 2869
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(I) If the school district in which the student is entitled to attend school would have used a method of transportation for the student for which payments are computed and paid under division (E) of this section, 1.0 times the statewide transportation cost per student, as calculated in division (C) of this section; 2871
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(II) If the school district in which the student is entitled to attend school would have used a method of transportation for the student for which payments are computed and paid in a manner described in division (G) of this section, the amount that would otherwise be computed for and paid to the district. 2877
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(ii) For fiscal year 2024 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly. 2883
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The community school, however, is not required to use the same method to transport the student. 2886
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As used in this division, "entitled to attend school" means entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. 2888
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(2) A community school shall be paid under division ~~(H)(1)~~ (I)(2) of this section only for students who are eligible as specified in section 3327.01 of the Revised Code and division (C)(1) of section 3314.091 of the Revised Code, and whose transportation to and from school is actually provided, who actually utilized transportation arranged, or for whom a payment in lieu of transportation is made by the community school's 2891
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governing authority. To qualify for the payments, the community 2898
school shall report to the department, in the form and manner 2899
required by the department, data on the number of students 2900
transported or whose transportation is arranged, the number of 2901
miles traveled, cost to transport, and any other information 2902
requested by the department. 2903

Sec. 3333.051. (A) The chancellor of higher education 2904
shall establish a program under which a community college 2905
established under Chapter 3354., technical college established 2906
under Chapter 3357., or state community college established 2907
under Chapter 3358. of the Revised Code may apply to the 2908
chancellor for authorization to offer applied bachelor's ~~and~~, 2909
nursing bachelor's, and prelicensure nursing bachelor's degree 2910
programs. 2911

The chancellor may approve programs under this section 2912
that demonstrate all of the following: 2913

(1) Evidence of an agreement between the college and a 2914
regional business or industry to train students in an in-demand 2915
field and to employ students upon their successful completion of 2916
the program; 2917

(2) That the workforce need of the regional business or 2918
industry is in an in-demand field with long-term sustainability 2919
based upon data provided by the governor's office of workforce 2920
transformation; 2921

(3) Supporting data that identifies the specific workforce 2922
need the program will address; 2923

(4) The absence of a bachelor's degree program that meets 2924
the workforce need addressed by the proposed program that is 2925
offered by a state university or private college or university; 2926

(5) Willingness of an industry partner to offer workplace-based learning and employment opportunities to students enrolled in the proposed program. 2927
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~~(B)~~ (B) (1) The chancellor shall approve the creation of 2930
any nursing bachelor's degree program proposed by a community, 2931
state community, or technical college that meet the requirements 2932
prescribed in divisions (A) (1) to (5) of this section and the 2933
standards and procedures for academic program approval pursuant 2934
to section 3333.04 of the Revised Code. Upon the approval of the 2935
chancellor the institution shall establish an accredited nursing 2936
bachelor's degree program. 2937

(2) Notwithstanding any provision of law to the contrary, 2938
the chancellor shall approve any proposal for a prelicensure 2939
nursing bachelor's degree program submitted by a community, 2940
state community, or technical college prior to September 30, 2941
2022. The chancellor promptly shall transmit that proposal along 2942
with the chancellor's approval to the appropriate accreditation 2943
bodies. 2944

(C) As used in this section: 2945

(1) "Applied bachelor's degree" means a bachelor's degree 2946
that is both of the following: 2947

(a) Specifically designed for an individual who holds an 2948
associate of applied science degree, or its equivalent, in order 2949
to maximize application of the individual's technical course 2950
credits toward the bachelor's degree; 2951

(b) Based on curriculum that incorporates both theoretical 2952
and applied knowledge and skills in a specific technical field. 2953

(2) "Private college or university" means a nonprofit 2954
institution that holds a certificate of authorization pursuant 2955

to Chapter 1713. of the Revised Code.	2956
(3) "State university" has the same meaning as in section 3345.011 of the Revised Code.	2957 2958
<u>Sec. 3333.128.</u> (A) As used in this section:	2959
<u>(1) "Cost of attendance" has the same meaning as in 20 U.S.C. 1087II.</u>	2960 2961
<u>(2) "Eligible student" means a student to whom all of the following apply:</u>	2962 2963
<u>(a) The student is a resident of this state under rules adopted by the chancellor of higher education under section 3333.31 of the Revised Code.</u>	2964 2965 2966
<u>(b) The student was not adopted by a stepparent, but was adopted in accordance with Chapter 3107. of the Revised Code, including any of the following types of adoption:</u>	2967 2968 2969
<u>(i) An adoption arranged by an attorney;</u>	2970
<u>(ii) An adoption arranged by a public children services agency, private child placing agency, or private noncustodial agency;</u>	2971 2972 2973
<u>(iii) Interstate adoption in accordance with section 5103.23 of the Revised Code;</u>	2974 2975
<u>(iv) Foreign adoption in accordance with section 3107.18 of the Revised Code.</u>	2976 2977
<u>(c) The student's adoption is finalized on or after January 1, 2023.</u>	2978 2979
<u>(d) The student is enrolled at a qualifying institution.</u>	2980
<u>(3) "Qualifying institution" means either a state</u>	2981

institution of higher education as defined in section 3345.011 2982
of the Revised Code or private college as defined in section 2983
3365.01 of the Revised Code. 2984

(B) The chancellor of higher education shall establish and 2985
administer a grant program for students in Ohio who are adopted. 2986
Under the program, the chancellor shall award a one-time grant 2987
of two thousand five hundred dollars to approved participants. 2988

(C) Eligible students shall apply in the form and manner 2989
prescribed by the chancellor. 2990

(D) The chancellor shall approve applications and pay 2991
grants to the qualifying institution in which a participant is 2992
enrolled in the academic year for which the participant's 2993
application is approved. The qualifying institution shall apply 2994
the grant to a participant's cost of attendance for that 2995
academic year. If any amount of the grant remains after it is 2996
applied to the participant's cost of attendance for that year, 2997
the qualifying institution shall apply that remaining amount to 2998
the participant's cost of attendance for any other academic year 2999
in which the student is enrolled in the institution. The 3000
qualifying institution shall return to the chancellor any grant 3001
amount remaining after a participant graduates or disenrolls 3002
from the institution. 3003

(E) If, for any academic year, the amounts available for 3004
support of the program are inadequate to provide grants to all 3005
approved students, the chancellor shall determine a method to 3006
select which applications to approve. 3007

Sec. 3505.183. (A) When the ballot boxes are delivered to 3008
the board of elections from the precincts, the board shall 3009
separate the provisional ballot envelopes from the rest of the 3010

ballots. Teams of employees of the board consisting of one 3011
member of each major political party shall place the sealed 3012
provisional ballot envelopes in a secure location within the 3013
office of the board. The sealed provisional ballot envelopes 3014
shall remain in that secure location until the validity of those 3015
ballots is determined under division (B) of this section. While 3016
the provisional ballot is stored in that secure location, and 3017
prior to the counting of the provisional ballots, if the board 3018
receives information regarding the validity of a specific 3019
provisional ballot under division (B) of this section, the board 3020
may note, on the sealed provisional ballot envelope for that 3021
ballot, whether the ballot is valid and entitled to be counted. 3022

(B) (1) To determine whether a provisional ballot is valid 3023
and entitled to be counted, the board shall examine its records 3024
and determine whether the individual who cast the provisional 3025
ballot is registered and eligible to vote in the applicable 3026
election. The board shall examine the information contained in 3027
the written affirmation executed by the individual who cast the 3028
provisional ballot under division (B) (2) of section 3505.181 of 3029
the Revised Code. The following information shall be included in 3030
the written affirmation in order for the provisional ballot to 3031
be eligible to be counted: 3032

(a) The individual's printed name, signature, date of 3033
birth, and current address; 3034

(b) A statement that the individual is a registered voter 3035
in the precinct in which the provisional ballot is being voted; 3036

(c) A statement that the individual is eligible to vote in 3037
the election in which the provisional ballot is being voted. 3038

(2) In addition to the information required to be included 3039

in an affirmation under division (B)(1) of this section, in 3040
determining whether a provisional ballot is valid and entitled 3041
to be counted, the board also shall examine any additional 3042
information for determining ballot validity provided by the 3043
provisional voter on the affirmation, provided by the 3044
provisional voter to an election official under section 3505.182 3045
of the Revised Code, or provided to the board of elections 3046
during the ~~seven~~four days after the day of the election under 3047
division (B)(7) or (8) of section 3505.181 of the Revised Code, 3048
to assist the board in determining the individual's eligibility 3049
to vote. 3050

(3) If, in examining a provisional ballot affirmation and 3051
additional information under divisions (B)(1) and (2) of this 3052
section and comparing the information required under division 3053
(B)(1) of this section with the ~~elector's~~individual's 3054
information in the statewide voter registration database, the 3055
board determines that all of the following apply, the 3056
provisional ballot envelope shall be opened, and the ballot 3057
shall be placed in a ballot box to be counted: 3058

(a) The individual named on the affirmation is properly 3059
registered to vote. 3060

(b) The individual named on the affirmation is eligible to 3061
cast a ballot in the precinct and for the election in which the 3062
individual cast the provisional ballot. 3063

(c) The individual provided all of the information 3064
required under division (B)(1) of this section in the 3065
affirmation that the individual executed at the time the 3066
individual cast the provisional ballot. 3067

(d) ~~The last four digits of the elector's social security~~ 3068

~~number or~~ One of the following applies: 3069

(i) The individual provided photo identification at the 3070
time of casting the provisional ballot or appeared at the office 3071
of the board within four days after the day of the election and 3072
provided photo identification. If the individual provided the 3073
individual's Ohio driver's license or state identification card 3074
or an interim identification form, the elector's individual 3075
provided the individual's driver's license number or state 3076
identification card number are and the number is not different 3077
from the last four digits of the elector's social security 3078
number or the elector's individual's driver's license number or 3079
state identification card number contained in the statewide 3080
voter registration database. 3081

(ii) The individual completed an affidavit of religious 3082
objection under section 3505.19 of the Revised Code at the time 3083
of casting the provisional ballot or at the office of the board 3084
within four days after the day of the election and the affidavit 3085
is valid under that section. 3086

(e) Except as otherwise provided in this division, the 3087
month and day of the ~~elector's individual's~~ date of birth are 3088
not different from the day and month of the ~~elector's~~ 3089
~~individual's~~ date of birth contained in the statewide voter 3090
registration database. 3091

This division does not apply to an ~~elector's individual's~~ 3092
provisional ballot if either of the following is true: 3093

(i) The ~~elector's individual's~~ date of birth contained in 3094
the statewide voter registration database is January 1, 1800. 3095

(ii) The board of elections has found, by a vote of at 3096
least three of its members, that the ~~elector individual~~ has met 3097

all other requirements of division (B) (3) of this section. 3098

(f) The ~~elector's~~individual's current address is not 3099
different from the ~~elector's~~individual's address contained in 3100
the statewide voter registration database, unless the ~~elector~~individual 3101
indicated that the ~~elector~~individual is casting a 3102
provisional ballot because the ~~elector~~individual has moved and 3103
has not submitted a notice of change of address, as described in 3104
division (A) (6) of section 3505.181 of the Revised Code. 3105

(g) If applicable, the individual provided any additional 3106
information required under division ~~(B) (7)~~(B) (8) of section 3107
3505.181 of the Revised Code within ~~seven~~four days after the 3108
day of the election. 3109

(4) (a) Except as otherwise provided in division (D) of 3110
this section, if, in examining a provisional ballot affirmation 3111
and additional information under divisions (B) (1) and (2) of 3112
this section and comparing the information required under 3113
division (B) (1) of this section with the ~~elector's~~individual's 3114
information in the statewide voter registration database, the 3115
board determines that any of the following applies, the 3116
provisional ballot envelope shall not be opened, and the ballot 3117
shall not be counted: 3118

(i) The individual named on the affirmation is not 3119
qualified or is not properly registered to vote. 3120

(ii) The individual named on the affirmation is not 3121
eligible to cast a ballot in the precinct or for the election in 3122
which the individual cast the provisional ballot. 3123

(iii) The individual did not provide all of the 3124
information required under division (B) (1) of this section in 3125
the affirmation that the individual executed at the time the 3126

individual cast the provisional ballot. 3127

(iv) The individual has already cast a ballot for the 3128
election in which the individual cast the provisional ballot. 3129

(v) If applicable, the individual did not provide any 3130
additional information required under division ~~(B) (7)~~ (B) (8) of 3131
section 3505.181 of the Revised Code within ~~seven~~ four days 3132
after the day of the election. 3133

(vi) The individual failed to provide ~~a current and valid~~ 3134
~~photo identification, a military identification, a copy of a~~ 3135
~~current utility bill, bank statement, government check,~~ 3136
~~paycheck, or other government document, other than a notice of~~ 3137
~~voter registration mailed by a board of elections under section~~ 3138
~~3503.19 of the Revised Code, with the voter's name and current~~ 3139
~~address, to provide~~ the individual's driver's license or state 3140
~~identification card number~~ if the individual provided photo 3141
identification in the form of an Ohio driver's license or state 3142
identification card or an interim identification form, or the 3143
~~last four digits of the individual's social security number or~~ 3144
or to complete an affidavit of religious objection. 3145

(vii) The individual failed to execute an affirmation 3146
under division (B) of section 3505.181 of the Revised Code. 3147

~~(vii)-(viii) The last four digits of the elector's social~~ 3148
~~security number or the elector's~~ individual provided photo 3149
identification in the form of an Ohio driver's license or state 3150
identification card or an interim identification form and the 3151
driver's license number or state identification card number ~~are~~ 3152
the individual provided is different from ~~the last four digits~~ 3153
~~of the elector's social security number or the elector's~~ 3154
individual's driver's license number or state identification 3155

card number contained in the statewide voter registration 3156
database. 3157

~~(viii)~~ (ix) The individual completed an affidavit of 3158
religious objection under section 3505.19 of the Revised Code, 3159
but the affidavit is not valid under that section. 3160

(x) Except as otherwise provided in this division, the 3161
month and day of the ~~elector's individual's~~ date of birth are 3162
different from the day and month of the ~~elector's individual's~~ 3163
date of birth contained in the statewide voter registration 3164
database. 3165

This division does not apply to an ~~elector's individual's~~ 3166
provisional ballot if either of the following is true: 3167

(I) The ~~elector's individual's~~ date of birth contained in 3168
the statewide voter registration database is January 1, 1800. 3169

(II) The board of elections has found, by a vote of at 3170
least three of its members, that the ~~elector individual~~ has met 3171
all of the requirements of division (B) (3) of this section, 3172
other than the requirements of division (B) (3) (e) of this 3173
section. 3174

~~(ix)~~ (xi) The elector's individual's current address is 3175
different from the ~~elector's individual's~~ address contained in 3176
the statewide voter registration database, unless the ~~elector-~~ 3177
individual indicated that the ~~elector individual~~ is casting a 3178
provisional ballot because the ~~elector individual~~ has moved and 3179
has not submitted a notice of change of address, as described in 3180
division (A) (6) of section 3505.181 of the Revised Code. 3181

(b) If, in examining a provisional ballot affirmation and 3182
additional information under divisions (B) (1) and (2) of this 3183
section and comparing the information required under division 3184

(B) (1) of this section with the ~~elector's~~individual's information in the statewide voter registration database, the board is unable to determine either of the following, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:

(i) Whether the individual named on the affirmation is qualified or properly registered to vote;

(ii) Whether the individual named on the affirmation is eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot.

(C) For each provisional ballot rejected under division (B) (4) of this section, the board shall record the name of the provisional voter who cast the ballot, the identification number of the provisional ballot envelope, the names of the election officials who determined the validity of that ballot, the date and time that the determination was made, and the reason that the ballot was not counted, unless the board has already recorded that information in another database.

(D) (1) If an individual cast a provisional ballot in a precinct in which the individual is not registered and eligible to vote, but in the correct polling location for the precinct in which the individual is registered and eligible to vote, and the election official failed to direct the individual to the correct precinct, the individual's ballot shall be remade under division (D) (2) of this section. The election official shall be deemed to have directed the individual to the correct precinct if the election official correctly completed the form described in division (C) (2) of section 3505.181 of the Revised Code.

(2) A board of elections that remakes a provisional ballot

under division (D) (1) of this section shall remake the 3214
provisional ballot on a ballot for the appropriate precinct to 3215
reflect the offices, questions, and issues for which the 3216
individual was eligible to cast a ballot and for which the 3217
individual attempted to cast a provisional ballot. The remade 3218
ballot shall be counted for each office, question, and issue for 3219
which the individual was eligible to vote. 3220

(3) If an individual cast a provisional ballot in a 3221
precinct in which the individual is not registered and eligible 3222
to vote and in the incorrect polling location for the precinct 3223
in which the individual is registered and eligible to vote, the 3224
provisional ballot envelope shall not be opened, and the ballot 3225
shall not be counted. 3226

(E) Provisional ballots that are rejected under division 3227
(B) (4) of this section shall not be counted but shall be 3228
preserved in their provisional ballot envelopes unopened until 3229
the time provided by section 3505.31 of the Revised Code for the 3230
destruction of all other ballots used at the election for which 3231
ballots were provided, at which time they shall be destroyed. 3232

(F) Provisional ballots that the board determines are 3233
eligible to be counted under division (B) (3) or (D) of this 3234
section shall be counted in the same manner as provided for 3235
other ballots under section 3505.27 of the Revised Code. No 3236
provisional ballots shall be counted in a particular county 3237
until the board determines the eligibility to be counted of all 3238
provisional ballots cast in that county under division (B) of 3239
this section for that election. Observers, as provided in 3240
section 3505.21 of the Revised Code, may be present at all times 3241
that the board is determining the eligibility of provisional 3242
ballots to be counted and counting those provisional ballots 3243

determined to be eligible. No person shall recklessly disclose 3244
the count or any portion of the count of provisional ballots in 3245
such a manner as to jeopardize the secrecy of any individual 3246
ballot. 3247

(G) (1) Except as otherwise provided in division (G) (2) of 3248
this section, nothing in this section shall prevent a board of 3249
elections from examining provisional ballot affirmations and 3250
additional information under divisions (B) (1) and (2) of this 3251
section to determine the eligibility of provisional ballots to 3252
be counted during the ~~ten~~ seven days after the day of an 3253
election. 3254

(2) A board of elections shall not examine the provisional 3255
ballot affirmation and additional information under divisions 3256
(B) (1) and (2) of this section of any provisional ballot cast by 3257
an individual who must provide photo identification, complete an 3258
affidavit of religious objection, or provide additional 3259
information to the board of elections under division (B) (7) or 3260
(8) of section 3505.181 of the Revised Code for the board to 3261
determine the individual's eligibility until the individual 3262
~~provides that information does so~~ or until the ~~eleventh~~ eighth 3263
day after the day of the election, whichever is earlier. 3264

Sec. 3509.05. (A) When an elector receives an absent 3265
voter's ballot pursuant to the elector's application or request, 3266
the elector shall, before placing any marks on the ballot, note 3267
whether there are any voting marks on it. If there are any 3268
voting marks, the ballot shall be returned immediately to the 3269
board of elections; otherwise, the elector shall cause the 3270
ballot to be marked, folded in a manner that the stub on it and 3271
the indorsements and facsimile signatures of the members of the 3272
board of elections on the back of it are visible, and placed and 3273

sealed within the identification envelope received from the 3274
~~director board~~ of elections for that purpose. Then, the elector 3275
shall cause the statement of voter on the outside of the 3276
identification envelope to be completed and signed, under 3277
penalty of election falsification. 3278

~~If the~~ (B) The elector does not shall provide one of the 3279
elector's following: 3280

(1) The elector's Ohio driver's license or state 3281
identification card number or the on the statement of voter on 3282
the identification envelope; 3283

(2) The last four digits of the elector's social security 3284
number on the statement of voter on the identification envelope, 3285
~~the elector also shall include in the return envelope with the~~ 3286
~~identification envelope a ;~~ 3287

(3) A copy of the elector's current valid photo 3288
identification, a copy of a military identification, or a copy 3289
of a current utility bill, bank statement, government check, 3290
paycheck, or other government document, other than a notice of 3291
voter registration mailed by a board of elections under section 3292
3503.19 of the Revised Code, that shows the name and address of 3293
the elector in the return envelope with the identification 3294
envelope. 3295

(C) (1) The elector shall mail the identification envelope 3296
to the director from whom it was received office of the board of 3297
elections in the return envelope, postage prepaid, or the 3298
elector may personally deliver it to the director office of the 3299
board, or the spouse of the elector, the father, mother, father- 3300
in-law, mother-in-law, grandfather, grandmother, brother, or 3301
sister of the whole or half blood, or the son, daughter, 3302

adopting parent, adopted child, stepparent, stepchild, uncle, 3303
aunt, nephew, or niece of the elector may deliver it to the 3304
director office of the board. The return envelope shall be 3305
~~transmitted to the director returned by no other person,~~ in no 3306
other manner, and to no other location, except as otherwise 3307
provided in section 3509.08 of the Revised Code. 3308

~~When absent voter's ballots are delivered to an elector at-~~ 3309
~~the office of the board, the elector may retire to a voting-~~ 3310
~~compartment provided by the board and there mark the ballots.-~~ 3311
~~Thereupon, the elector shall fold them, place them in the-~~ 3312
~~identification envelope provided, seal the envelope, fill in and-~~ 3313
~~sign the statement on the envelope under penalty of election-~~ 3314
~~falsification, and deliver the envelope to the director of the-~~ 3315
~~board.~~ 3316

(2) If the board maintains multiple offices in the county, 3317
as permitted under division (C) of section 3501.10 of the 3318
Revised Code, the board may designate any of its offices for the 3319
return of absent voter's ballots under this section, provided 3320
that the board shall designate only one office to which absent 3321
voter's ballots shall be returned under this section. 3322

(3) (a) The board of elections may place not more than one 3323
secure receptacle outside the office of the board, on the 3324
property on which the office of the board is located, for the 3325
purpose of receiving absent voter's ballots under this section. 3326

(b) A secure receptacle shall be open to receive ballots 3327
only during the period beginning on the first day after the 3328
close of voter registration before the election and ending at 3329
seven-thirty p.m. on the day of the election. The receptacle 3330
shall be open to receive ballots at all times during that 3331
period. 3332

(c) A secure receptacle shall be monitored by recorded video surveillance at all times. The video recordings are a public record. The board shall do one of the following: 3333
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3335

(i) Make the video recordings available for inspection immediately upon request, notwithstanding any contrary provision of section 149.43 of the Revised Code. 3336
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(ii) Make each day's video recording available to the public on the internet for streaming or download without charge within twenty-four hours after the recording ends and make the video recordings available to the public upon request in accordance with section 149.43 of the Revised Code. 3339
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(d) Only a bipartisan team of election officials may open a secure receptacle or handle its contents. A bipartisan team of election officials shall collect the contents of each secure receptacle and deliver them to the board for processing at least once each day and at seven-thirty p.m. on the day of the election. If, at seven-thirty p.m. on the day of the election, there are persons waiting in line to deposit absent voter's ballots in a receptacle, those persons shall be permitted to deposit the ballots. 3344
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(4) (a) During the period beginning on the forty-fifth day before election day and ending on the day after election day, on each day the office of the board of elections is open for business, the board shall report to the secretary of state all of the following information concerning the previous business day: 3353
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(i) The number of return envelopes purporting to contain absent voter's ballots or uniformed services or overseas absent voter's ballots the board received by personal delivery, other 3359
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than to a receptacle described in division (C)(3) of this 3362
section; 3363

(ii) If the board has placed a secure receptacle outside 3364
the office of the board under division (C)(3) of this section, 3365
the number of return envelopes purporting to contain absent 3366
voter's ballots or uniformed services or overseas absent voter's 3367
ballots the board received in the receptacle. 3368

(b) As soon as practicable after receiving a report under 3369
division (C)(4)(a) of this section, the secretary of state shall 3370
make the information in the report available to the public on 3371
the secretary of state's official web site. 3372

(D)(1) Except as otherwise provided in division ~~(B)~~(D)(2) 3373
of this section, all ~~other~~ envelopes containing marked absent 3374
voter's ballots shall be delivered to the ~~director~~ office of the 3375
board not later than the close of the polls on the day of an 3376
election. Absent voter's ballots delivered to the ~~director~~ 3377
office of the board later than the times specified shall not be 3378
counted, but shall be kept by the board in the sealed 3379
identification envelopes in which they are delivered ~~to the~~ 3380
~~director~~, until the time provided by section 3505.31 of the 3381
Revised Code for the destruction of all other ballots used at 3382
the election for which ballots were provided, at which time they 3383
shall be destroyed. 3384

~~(B)(1)-(2)(a)~~ Except as otherwise provided in division ~~(B)~~ 3385
~~(2)-(D)(2)(b)~~ of this section, any return envelope that is 3386
postmarked prior to the day of the election shall be delivered 3387
to the director prior to the ~~eleventh~~ fifth day after the 3388
election. Ballots delivered in envelopes postmarked prior to the 3389
day of the election that are received after the close of the 3390
polls on election day through the ~~tenth~~ fourth day thereafter 3391

shall be counted on the ~~eleventh~~fifth day at the board of 3392
elections in the manner provided in divisions (C) and (D) of 3393
section 3509.06 of the Revised Code or in the manner provided in 3394
division (E) of that section, as applicable. Any such ballots 3395
that are received by the director later than the ~~tenth~~fourth 3396
day following the election shall not be counted, but shall be 3397
kept by the board in the sealed identification envelopes as 3398
provided in division (A) of this section. 3399

~~(2)~~(b) Division ~~(B) (1)~~(D) (2) (a) of this section shall 3400
not apply to any mail that is postmarked using a postage 3401
evidencing system, including a postage meter, as defined in 39 3402
C.F.R. 501.1. 3403

Sec. 3781.1010. (A) No rule of the board of building 3404
standards for the erection, construction, repair, alteration, 3405
and maintenance of buildings adopted under section 3781.10 of 3406
the Revised Code shall require the installation of a storm 3407
shelter in any school building operated by a public or private 3408
school ~~prior to November 30, 2022,~~ or in any such school 3409
building undergoing or about to undergo construction, 3410
alteration, repair, or maintenance ~~for which financing has been~~ 3411
~~secured prior to that date.~~ 3412

(B) Any rule adopted by the board that conflicts with this 3413
section shall not be effective with respect to any school 3414
building ~~prior to November 30, 2022.~~ 3415

(C) As used in this section, "school building," "public 3416
school," and "private school" have the same meanings as in 3417
section 3781.106 of the Revised Code. 3418

Sec. 3929.43. (A) The Ohio fair plan underwriting 3419
association is hereby created consisting of all insurers 3420

authorized to write within this state, on a direct basis, basic 3421
property insurance or any component thereof in multi-peril 3422
policies, to assist applicants in urban areas to secure basic 3423
property insurance or homeowners insurance, and to formulate and 3424
administer a program for the equitable apportionment of basic 3425
property insurance or homeowners insurance which cannot be 3426
obtained in the normal market. Every such insurer shall be a 3427
member of the association and shall remain a member as a 3428
condition of its authority to write any of such insurance in 3429
this state. 3430

(B) The association, pursuant to sections 3929.41 to 3431
3929.49 of the Revised Code, and the plan of operation, with 3432
respect to basic property insurance or homeowners insurance, may 3433
assume and cede reinsurance on insurable risks written by its 3434
members. 3435

(C) The board of governors of the association shall submit 3436
to the superintendent of insurance, for approval, a proposed 3437
plan of operation which shall provide for economical, fair, and 3438
nondiscriminatory administration of a program for the equitable 3439
apportionment among members of basic property insurance or 3440
homeowners insurance which may be afforded in urban areas to 3441
applicants whose property is insurable in accordance with 3442
reasonable underwriting standards, but who are unable to procure 3443
such insurance through normal channels. The association is under 3444
no obligation to issue basic property insurance or homeowners 3445
insurance to any person, unless that person and that person's 3446
property would be insurable in the normal insurance market, and 3447
such property, except for its location, would constitute an 3448
insurable risk in accordance with reasonable underwriting 3449
standards. The plan of operation shall provide that the 3450
association, in determining whether the property is insurable, 3451

shall give no consideration to the condition of surrounding 3452
property or properties, where such condition is not within the 3453
control of the applicant. Rates for basic property insurance and 3454
homeowners insurance shall be subject to the approval of the 3455
superintendent. The plan of operation may also provide for 3456
assessment of all members in amounts sufficient to operate the 3457
association, maximum limits of liability per location to be 3458
placed through the program, reasonable underwriting standards 3459
for determining insurability of a risk, and the commission to be 3460
paid to the licensed producer designated by the applicant. The 3461
superintendent shall adopt such plan and all amendments thereto 3462
pursuant to Chapter 119. of the Revised Code. 3463

If the superintendent disapproves the proposed plan of 3464
operation, the board of governors shall, within fifteen days, 3465
submit for approval an appropriately revised plan of operation 3466
and if the board of governors fails to do so, or if the revised 3467
plan submitted is unacceptable, the superintendent shall 3468
promulgate a plan of operation. 3469

If amendment of the plan of operation is requested by the 3470
superintendent or the board of governors, the board of governors 3471
shall submit to the superintendent, for approval, such 3472
amendments. If such amendments are not approved by the 3473
superintendent, the board of governors shall, within fifteen 3474
days, submit for approval an appropriately revised amendment. If 3475
the board of governors fails to do so, or if the amendment is 3476
not approved by the superintendent, the superintendent shall 3477
promulgate such amendment as the superintendent finds necessary. 3478

(D) (1) The plan of operation may provide for periodic 3479
advance assessments against member insurers in amounts 3480
considered necessary to cover any deficit or projected deficit 3481

arising out of the operation of the association. Any provision 3482
in the plan for implementation of such advance assessments shall 3483
be approved by the superintendent. Any such provision in the 3484
plan shall also provide for quarterly or other periodic 3485
installment payment of such assessments. 3486

(2) Such plan shall provide a method whereby member 3487
insurers may recoup assessments levied by the association. In 3488
order to recoup such assessments the plan may also provide for 3489
the calculation and use of rates or rating factors to be applied 3490
to direct premiums for basic property insurance and homeowners 3491
insurance located in this state. Such a provision is subject to 3492
the approval of the superintendent. Member insurers of the 3493
association implementing a change in rates pursuant to this 3494
section shall file such changes with the superintendent. Such 3495
changes shall not increase rates more than the amount authorized 3496
by the association and approved by the superintendent pursuant 3497
to the plan. The association may consult with member insurers or 3498
licensed rating bureaus in connection with the establishment and 3499
operation of any such provision. 3500

(E) Any insurer which is a member of the association shall 3501
participate in the writings, expenses, profits, and losses of 3502
the association in the proportion that its premiums written bear 3503
to the aggregate premiums written by all members of the 3504
association, except that this division shall not be construed to 3505
preclude the board of governors from taking action to adjust 3506
assessments in accordance with a program adopted pursuant to 3507
division (I) of this section. 3508

(F) Such plan shall require the issuance of a binder 3509
providing coverage for which the applicant tenders an amount 3510
equal to the annual premium as estimated by the association, or 3511

an appropriate percentage of that annual premium as determined 3512
by the association. The binder shall take effect the day after 3513
the association receives the application, provided that the 3514
application meets the underwriting standards of the association, 3515
for such term, and under such conditions as are determined by 3516
the superintendent. The superintendent may alter such time 3517
requirement on a specific risk under such conditions as the 3518
superintendent finds appropriate. 3519

(G) The association shall be governed by a board of 3520
governors consisting of twelve members, four of whom shall be 3521
appointed by the governor with the advice and consent of the 3522
senate. One of such members shall be a licensed agent writing 3523
basic property insurance for more than one insurer. None of the 3524
other three such members shall be a director, officer, salaried 3525
employee, agent, or substantial shareholder of any insurance 3526
company and not more than two of these three members shall be 3527
members of the same political party. Terms of office of members 3528
appointed by the governor shall be for two years, commencing on 3529
the nineteenth day of September and ending on the eighteenth day 3530
of September. Each member shall hold office from the date of 3531
appointment until the end of the term for which the member was 3532
appointed. Any member appointed to fill a vacancy occurring 3533
prior to the expiration of the term for which the member's 3534
predecessor was appointed shall hold office for the remainder of 3535
such term. Any appointed member shall continue in office 3536
subsequent to the expiration date of the member's term until the 3537
member's successor takes office, or until a period of sixty days 3538
has elapsed, whichever occurs first. The remaining eight members 3539
shall be representatives from member companies, at least five of 3540
whom shall be Ohio domiciled members, elected annually by 3541
accumulated voting by members of the association whose votes 3542

shall be weighed in accordance with each member's premiums 3543
written during the second preceding calendar year. Not more than 3544
one insurer in a group under the same management or ownership 3545
shall serve on the board of governors at the same time. The 3546
eight representatives of member companies shall be elected at a 3547
meeting of the members or their authorized representatives, 3548
which shall be held at a time and place designated by the 3549
superintendent. 3550

(H) The plan shall be administered under the supervision 3551
of the superintendent. 3552

(I) The board of governors shall adopt a written program 3553
for decreasing the overall utilization of the association as a 3554
source of insurance. The program shall set forth actions that 3555
the board shall take to decrease such utilization, including 3556
actions intended to reduce the number of policies issued, the 3557
number of persons whose properties are insured, and the total 3558
amount and kinds of insurance written by the association, 3559
provided this division does not authorize the board to take 3560
action intended to decrease utilization of the association as a 3561
source of insurance if such action would substantially conflict 3562
with the purposes set forth in divisions (A), (B), and (D) of 3563
section 3929.41 of the Revised Code or the plan of operation of 3564
the association. 3565

(J) (1) Except as provided in division (J) (2) of this 3566
section, records created, held by, or pertaining to the 3567
association are not public records under section 149.43 of the 3568
Revised Code, are confidential, and are not subject to 3569
inspection or disclosure. 3570

(2) Division (J) (1) of this section does not apply to the 3571
plan of operation and other information required to be filed 3572

with the superintendent under this chapter unless otherwise 3573
prohibited from release by law. 3574

Sec. 3955.061. (A) Except as provided in division (B) of 3575
this section, records created, held by, or pertaining to the 3576
guaranty association are not public records under section 149.43 3577
of the Revised Code, are confidential, and are not subject to 3578
inspection or disclosure. 3579

(B) Division (A) of this section does not apply to the 3580
plan of operation required under section 3955.09 of the Revised 3581
Code and other information required to be filed with the 3582
superintendent of insurance under this chapter unless otherwise 3583
prohibited from release by law. 3584

Sec. 3956.061. (A) Except as provided in division (B) of 3585
this section, records created, held by, or pertaining to the 3586
guaranty association are not public records under section 149.43 3587
of the Revised Code, are confidential, and are not subject to 3588
inspection or disclosure. 3589

(B) Division (A) of this section does not apply to the 3590
plan of operation required under section 3956.10 of the Revised 3591
Code, other information required to be filed with the 3592
superintendent of insurance under this chapter, and any other 3593
documents required to be released under this chapter unless 3594
otherwise prohibited from release by law. 3595

Sec. 4503.591. (A) If a professional sports team located 3596
in this state desires to have its logo appear on license plates 3597
issued by this state, it shall enter into a contract with either 3598
a sports commission to permit such display, as permitted by 3599
division (E) of this section, or with a community charity, as 3600
permitted by division (G) of this section. 3601

(B) The owner or lessee of any passenger car, 3602
noncommercial motor vehicle, recreational vehicle, or other 3603
vehicle of a class approved by the registrar of motor vehicles 3604
may apply to the registrar for the registration of the vehicle 3605
and issuance of license plates bearing the logo of a 3606
professional sports team that has entered into a contract 3607
described in division (A) of this section. The application shall 3608
designate the sports team whose logo the owner or lessee desires 3609
to appear on the license plates. Failure to designate a 3610
participating professional sports team shall result in rejection 3611
by the registrar of the registration application. An application 3612
made under this section may be combined with a request for a 3613
special reserved license plate under section 4503.40 or 4503.42 3614
of the Revised Code. Upon receipt of the completed application 3615
and compliance by the applicant with divisions (C) and (D) of 3616
this section, the registrar shall issue to the applicant the 3617
appropriate vehicle registration and a set of license plates 3618
bearing the logo of the professional sports team the owner 3619
designated in the application and a validation sticker, or a 3620
validation sticker alone when required by section 4503.191 of 3621
the Revised Code. 3622

In addition to the letters and numbers ordinarily 3623
inscribed thereon, professional sports team license plates shall 3624
bear the logo of a participating professional sports team, and 3625
shall display county identification stickers that identify the 3626
county of registration as required under section 4503.19 of the 3627
Revised Code. 3628

(C) The professional sports team license plates and 3629
validation sticker, or validation sticker alone, as the case may 3630
be, shall be issued upon payment of the regular license tax as 3631
prescribed under section 4503.04 of the Revised Code, any 3632

applicable motor vehicle license tax levied under Chapter 4504. 3633
of the Revised Code, an additional fee of ten dollars, and 3634
compliance with all other applicable laws relating to the 3635
registration of motor vehicles. If the application for a 3636
professional sports team license plate is combined with a 3637
request for a special reserved license plate under section 3638
4503.40 or 4503.42 of the Revised Code, the license plates and 3639
validation sticker, or validation sticker alone, shall be issued 3640
upon payment of the taxes and fees described in this division 3641
plus the additional fee prescribed under section 4503.40 or 3642
4503.42 of the Revised Code and compliance with all other 3643
applicable laws relating to the registration of motor vehicles. 3644

(D) For each application for registration and registration 3645
renewal notice the registrar receives under this section, the 3646
registrar shall collect a contribution of twenty-five dollars. 3647
The registrar shall transmit this contribution to the treasurer 3648
of state for deposit into the license plate contribution fund 3649
created by section 4501.21 of the Revised Code. 3650

The registrar shall transmit the additional fee of ten 3651
dollars, which is to compensate the bureau of motor vehicles for 3652
the additional services required in the issuing of professional 3653
sports team license plates, to the treasurer of state for 3654
deposit into the state treasury to the credit of the public 3655
safety - highway purposes fund created by section 4501.06 of the 3656
Revised Code. 3657

(E) If a professional sports team located in this state 3658
desires to have its logo appear on license plates issued by this 3659
state and it desires to do so pursuant to this division, it 3660
shall inform the largest convention and visitors' bureau of the 3661
county in which the professional sports team is located of that 3662

desire. That convention and visitors' bureau shall create a 3663
sports commission to operate in that county to receive the 3664
contributions that are paid by applicants who choose to be 3665
issued license plates bearing the logo of that professional 3666
sports team for display on their motor vehicles. The sports 3667
commission shall negotiate with the professional sports team to 3668
permit the display of the team's logo on license plates issued 3669
by this state, enter into the contract with the team to permit 3670
such display, and pay to the team any licensing or rights fee 3671
that must be paid in connection with the issuance of the license 3672
plates. Upon execution of the contract, the sports commission 3673
shall provide a copy of it to the registrar, along with any 3674
other documentation the registrar may require. Upon receipt of 3675
the contract and any required additional documentation, and when 3676
the numerical requirement contained in section 4503.78 of the 3677
Revised Code has been met relative to that particular 3678
professional sports team, the registrar shall take the measures 3679
necessary to issue license plates bearing the logo of that team. 3680

(F) A sports commission shall expend the money it receives 3681
pursuant to section 4501.21 of the Revised Code to attract 3682
amateur regional, national, and international sporting events to 3683
the municipal corporation, county, or township in which it is 3684
located, and it may sponsor such events. Prior to attracting or 3685
sponsoring such events, the sports commission shall perform an 3686
economic analysis to determine whether the proposed event will 3687
have a positive economic effect on the greater area in which the 3688
event will be held. A sports commission shall not expend any 3689
money it receives under that section to attract or sponsor an 3690
amateur regional, national, or international sporting event if 3691
its economic analysis does not result in a finding that the 3692
proposed event will have a positive economic effect on the 3693

greater area in which the event will be held. 3694

A sports commission that receives money pursuant to that 3695
section, in addition to any other duties imposed on it by law 3696
and notwithstanding the scope of those duties, also shall 3697
encourage the economic development of this state through the 3698
promotion of tourism within all areas of this state. A sports 3699
commission that receives ten thousand dollars or more during any 3700
calendar year shall submit a written report to the director of 3701
development, on or before the first day of October of the next 3702
succeeding year, detailing its efforts and expenditures in the 3703
promotion of tourism during the calendar year in which it 3704
received the ten thousand dollars or more. 3705

As used in this division, "promotion of tourism" means the 3706
encouragement through advertising, educational and informational 3707
means, and public relations, both within the state and outside 3708
of it, of travel by persons away from their homes for pleasure, 3709
personal reasons, or other purposes, except to work, to this 3710
state or to the region in which the sports commission is 3711
located. 3712

(G) If a professional sports team located in this state 3713
desires to have its logo appear on license plates issued by this 3714
state and it does not desire to do so pursuant to division (E) 3715
of this section, it shall do so pursuant to this division. The 3716
professional sports team shall notify a community charity of 3717
that desire. That community charity may negotiate with the 3718
professional sports team to permit the display of the team's 3719
logo on license plates issued by this state, enter into a 3720
contract with the team to permit such display, and pay to the 3721
team any licensing or rights fee that must be paid in connection 3722
with the issuance of the license plates. Upon execution of a 3723

contract, the community charity shall provide a copy of it to 3724
the registrar along with any other documentation the registrar 3725
may require. Upon receipt of the contract and any required 3726
additional documentation, and when the numerical requirement 3727
contained in section 4503.78 of the Revised Code has been met 3728
relative to that particular professional sports team, the 3729
registrar shall take the measures necessary to issue license 3730
plates bearing the logo of that team. 3731

(H) (1) A community charity shall expend the money it 3732
receives pursuant to section 4501.21 of the Revised Code solely 3733
to provide financial support to a sports commission for the 3734
purposes described in division (F) of this section and to 3735
nonprofit organizations located in this state that seek to 3736
improve the lives of those who are less fortunate and who reside 3737
in the region and state in which is located the sports team with 3738
which the community charity entered into a contract pursuant to 3739
division (G) of this section. Such organizations shall achieve 3740
this purpose through activities such as youth sports programs; 3741
educational, health, social, and community service programs; or 3742
services such as emergency assistance or employment, education, 3743
housing, and nutrition services. 3744

The community charity shall not expend any money it 3745
receives pursuant to section 4501.21 of the Revised Code if the 3746
expenditure will be received by a nonprofit organization that 3747
will use the money in a manner or for a purpose that is not 3748
described in this division. 3749

(2) The community charity shall provide a written 3750
quarterly report to the director of development and the director 3751
of job and family services detailing the expenditures of the 3752
money it receives pursuant to section 4501.21 of the Revised 3753

Code. The report shall include the amount of such money received 3754
and an accounting of all expenditures of such money. 3755

(I) For purposes of this section: 3756

(1) The "largest" convention and visitors' bureau of a 3757
county is the bureau that receives the largest amount of money 3758
generated in that county from excise taxes levied on lodging 3759
transactions under sections 351.021, 5739.08, and 5739.09 of the 3760
Revised Code. 3761

(2) "Sports commission" means a commission consisting of 3762
at least fifteen members that is a nonprofit corporation 3763
organized under the laws of this state that is entitled to tax 3764
exempt status under section 501(c)(3) of the "Internal Revenue 3765
Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, and 3766
whose function is to attract, promote, or sponsor sports and 3767
athletic events within a municipal corporation, county, or 3768
township. 3769

~~Such a commission shall consist of twenty one members.~~ 3770
~~Seven members shall be appointed by the mayor of the largest~~ 3771
~~city to be served by the commission. Seven members shall be~~ 3772
~~appointed by the board of county commissioners of the county to~~ 3773
~~be served by the commission. Seven members shall be appointed by~~ 3774
~~the largest convention and visitors' bureau in the area to be~~ 3775
~~served by the commission.~~ A sports commission may provide all 3776
services related to attracting, promoting, or sponsoring such 3777
events, including, but not limited to, the booking of athletes 3778
and teams, scheduling, and hiring or contracting for staff, 3779
ushers, managers, and other persons whose functions are directly 3780
related to the sports and athletic events the commission 3781
attracts, promotes, or sponsors. 3782

(3) "Community charity" means a nonprofit corporation 3783
organized under the laws of this state that is entitled to tax 3784
exempt status under section 501(c)(3) of the "Internal Revenue 3785
Code of 1986," 100 Stat. 2085, 26 U.S.C. 501, as amended, and 3786
that enters into a contract with a professional sports team 3787
pursuant to division (G) of this section. 3788

(4) "Nonprofit organization" means a nonprofit corporation 3789
organized under the laws of this state that is entitled to tax 3790
exempt status under section 501(c)(3) of the "Internal Revenue 3791
Code of 1986," 100 Stat. 2085, 26 U.S.C. 501, as amended, and 3792
that receives money from a community charity pursuant to 3793
division (H)(1) of this section. 3794

Sec. 4509.70. (A) After consultation with the insurance 3795
companies authorized to issue automobile liability or physical 3796
damage policies, or both, in this state, the superintendent of 3797
insurance shall approve a reasonable plan, fair and equitable to 3798
the insurers and to their policyholders, for the apportionment 3799
among such companies of applicants for such policies and for 3800
motor-vehicle liability policies who are in good faith entitled 3801
to but are unable to procure such policies through ordinary 3802
methods. When any such plan has been approved by the 3803
superintendent, all such insurance companies shall subscribe and 3804
participate. Any applicant for such policy, any person insured 3805
under such plan of operation, and any insurance company 3806
affected, may appeal to the superintendent of insurance from any 3807
ruling or decision of the manager or committee designated in the 3808
plan to operate the assigned risk insurance plan. Any order or 3809
act of the superintendent under this section is subject to 3810
review as provided in sections 119.01 to 119.13 of the Revised 3811
Code, at the instance of any party in interest. 3812

(B) The plan described in division (A) of this section may 3813
permit the assigned risk insurance plan to directly issue and 3814
process claims arising from such policies described in division 3815
(A) of this section to applicants of automobile insurance 3816
policies who are in good faith entitled to but are unable to 3817
procure such policies through ordinary methods. 3818

(C) Every form of a policy, endorsement, rider, manual of 3819
classifications, rules, and rates, every rating plan, and every 3820
modification of any of them proposed to be used by the assigned 3821
risk insurance plan shall be filed, or the plan may satisfy its 3822
obligation to make such filings, as described in section 3937.03 3823
of the Revised Code. 3824

(D) Any automobile insurance policy issued by the assigned 3825
risk insurance plan under division (B) of this section: 3826

(1) Shall be recognized as if issued by an insurance 3827
company authorized to do business in this state; 3828

(2) Shall meet all requirements of proof of financial 3829
responsibility as described in division (K) of section 4509.01 3830
of the Revised Code. 3831

(E) Proof of financial responsibility provided by the 3832
assigned risk insurance plan to an automobile insurance 3833
policyholder that meets the requirements described in division 3834
(G) (1) (a) or (b) of section 4509.101 of the Revised Code shall 3835
be recognized as if issued by an insurance company authorized to 3836
do business in this state to demonstrate proof of financial 3837
responsibility under section 4509.101 of the Revised Code. 3838

(F) The assigned risk insurance plan designated in 3839
division (A) of this section shall do both of the following: 3840

(1) Make annual audited financial reports available to the 3841

superintendent of insurance promptly upon the completion of such 3842
audit; 3843

(2) Upon reasonable notice, make available to the 3844
superintendent of insurance all books and records relating to 3845
the insurance transactions of the assigned risk insurance plan. 3846

(G) (1) Except as provided in division (G) (2) of this 3847
section, records created, held by, or pertaining to the assigned 3848
risk insurance plan are not public records under section 149.43 3849
of the Revised Code, are confidential, and are not subject to 3850
inspection or disclosure. 3851

(2) Division (G) (1) of this section does not apply to the 3852
plan of operation and other information required to be filed 3853
under this section with the superintendent unless otherwise 3854
prohibited from release by law. 3855

Sec. 5101.19. As used in sections 5101.19 to 5101.194 of 3856
the Revised Code: 3857

(A) "Adopted child" means a person who is less than 3858
eighteen years of age when the person becomes subject to a final 3859
order of adoption, an interlocutory order of adoption, or when 3860
the adoption is recognized by this state under section 3107.18 3861
of the Revised Code. 3862

(B) "Adoption" includes an adoption arranged by an 3863
attorney, a public children services agency, private child 3864
placing agency, or a private noncustodial agency, an interstate 3865
adoption, or an international or foreign adoption. 3866

(C) "Adoptive parent" means the person or persons who 3867
obtain parental rights and responsibilities over an adopted 3868
child pursuant to a final order of adoption, an interlocutory 3869
order of adoption, or an adoption recognized by this state under 3870

section 3107.18 of the Revised Code. 3871

(D) "Casework services" means services performed or 3872
arranged by a public children services agency, private child 3873
placing agency, private noncustodial agency, or public entity 3874
with whom the department of job and family services has a Title 3875
IV-E subgrant agreement in effect, to manage the progress, 3876
provide supervision and protection of the child and the child's 3877
parent, guardian, or custodian. 3878

(E) "Foster caregiver" has the same meaning as in section 3879
5103.02 of the Revised Code. 3880

(F) "Qualified professional" means an individual that is, 3881
but not limited to, any one of the following: 3882

(1) Audiologist; 3883

(2) Orthopedist; 3884

(3) Physician; 3885

(4) Certified nurse practitioner; 3886

(5) Physician assistant; 3887

(6) Psychiatrist; 3888

(7) Psychologist; 3889

(8) School psychologist; 3890

(9) Licensed marriage and family therapist; 3891

(10) Speech and language pathologist; 3892

(11) Licensed independent social worker; 3893

(12) Licensed professional clinical counselor; 3894

(13) Licensed social worker who is under the direct 3895

<u>supervision of a licensed independent social worker;</u>	3896
<u>(14) Licensed professional counselor who is under the</u>	3897
<u>direct supervision of a licensed professional clinical</u>	3898
<u>counselor.</u>	3899
<u>(G) "Special needs" means any of the following:</u>	3900
<u>(1) A developmental disability as defined in section</u>	3901
<u>5123.01 of the Revised Code;</u>	3902
<u>(2) A physical or mental impairment that substantially</u>	3903
<u>limits one or more of the major life activities;</u>	3904
<u>(3) Any physiological disorder or condition, cosmetic</u>	3905
<u>disfigurement, or anatomical loss affecting one or more body</u>	3906
<u>systems;</u>	3907
<u>(4) Any mental or psychological disorder;</u>	3908
<u>(5) A medical condition causing distress, pain,</u>	3909
<u>dysfunction, or social problems as diagnosed by a qualified</u>	3910
<u>professional that results in ongoing medical treatment.</u>	3911
<u>Sec. 5101.191. (A) The director of job and family services</u>	3912
<u>shall establish and administer the Ohio adoption grant program</u>	3913
<u>in accordance with sections 5101.19 to 5101.194 of the Revised</u>	3914
<u>Code.</u>	3915
<u>(B) The director shall provide one, but not both, of the</u>	3916
<u>following one-time payments for an adopted child to the child's</u>	3917
<u>adoptive parent if the requirements of division (A) of section</u>	3918
<u>5101.192 of the Revised Code, but not division (B) of that</u>	3919
<u>section, are satisfied regarding the child:</u>	3920
<u>(1) Ten thousand dollars;</u>	3921
<u>(2) Fifteen thousand dollars, if the parent was a foster</u>	3922

caregiver who cared for the child prior to adoption. 3923

(C) The director shall provide a one-time payment for an 3924
adopted child of twenty thousand dollars to the child's adoptive 3925
parent if the requirements of divisions (A) and (B) of section 3926
5101.192 of the Revised Code are satisfied regarding the child. 3927

Sec. 5101.192. (A) To receive a grant payment under 3928
division (B) of section 5101.191 of the Revised Code, all of the 3929
following must be satisfied: 3930

(1) The adoptive parent has not previously received a 3931
grant payment from the Ohio adoption grant program for the 3932
adopted child for whom the parent is seeking payment. 3933

(2) The adoptive parent does not also currently claim an 3934
adoption tax credit pursuant to former section 5747.37 of the 3935
Revised Code for the adopted child for whom the parent is 3936
seeking payment. 3937

(3) The adoptive parent applies for the grant not later 3938
than one year after the final adoption order, interlocutory 3939
order of adoption, or recognition of the adoption by this state 3940
under section 3107.18 of the Revised Code for the adopted child 3941
for whom the grant payment is sought. 3942

(4) The adoption was not by a parent whose spouse is a 3943
biological or adoptive parent of the child prior to the adoption 3944
for which the payment is sought. 3945

(5) The adoption is finalized on or after January 1, 2023. 3946

(B) To receive a grant payment under division (C) of 3947
section 5101.191 of the Revised Code, both of the following must 3948
be satisfied: 3949

(1) The requirements of division (A) of this section must 3950

be satisfied. 3951

(2) A qualified professional who does not provide casework 3952
services to the adopted child diagnoses the child with one or 3953
more special needs in the professional's area of expertise prior 3954
to the final order of adoption, interlocutory order of adoption, 3955
or recognition of the adoption by this state under section 3956
3107.18 of the Revised Code. 3957

Sec. 5101.193. (A) The director of job and family services 3958
shall adopt rules to administer and implement the Ohio adoption 3959
grant program. The director, in consultation with the tax 3960
commissioner, shall also adopt rules authorizing the department 3961
to withhold and remit to the Internal Revenue Service federal 3962
income tax from grant payments under division (B) of section 3963
5101.191 of the Revised Code, provided such withholding is 3964
authorized under federal law or approved by the Internal Revenue 3965
Service. 3966

(B) No application fee shall be charged for the grant 3967
program. 3968

(C) Notwithstanding any law to the contrary, the director 3969
may require, as necessary to administer the Ohio adoption grant 3970
program, either or both of the following: 3971

(1) The submission of any court or legal document 3972
necessary to prove a final order of adoption, an interlocutory 3973
order of adoption, or recognition of the adoption under section 3974
3107.18 of the Revised Code; 3975

(2) Any department, agency, or division of the state, 3976
including the department of health, to provide any document 3977
related to the adoption. 3978

(D) Notwithstanding any provision of section 121.95 of the 3979

Revised Code to the contrary, a regulatory restriction contained 3980
in a rule adopted under section 5101.193 of the Revised Code is 3981
not subject to sections 121.95 to 121.953 of the Revised Code. 3982

Sec. 5101.194. Any document provided to the department of 3983
job and family services under division (C) of section 5101.193 3984
of the Revised Code remains a public record under section 149.43 3985
of the Revised Code if it was a public record under that section 3986
before being provided to the department. 3987

Sec. 5104.30. (A) The department of job and family 3988
services is hereby designated as the state agency responsible 3989
for administration and coordination of federal and state funding 3990
for publicly funded child care in this state. Publicly funded 3991
child care shall be provided to the following: 3992

(1) Recipients of transitional child care as provided 3993
under section 5104.34 of the Revised Code; 3994

(2) Participants in the Ohio works first program 3995
established under Chapter 5107. of the Revised Code; 3996

(3) Individuals who would be participating in the Ohio 3997
works first program if not for a sanction under section 5107.16 3998
of the Revised Code and who continue to participate in a work 3999
activity, developmental activity, or alternative work activity 4000
pursuant to an assignment under section 5107.42 of the Revised 4001
Code; 4002

(4) A family receiving publicly funded child care on 4003
October 1, 1997, until the family's income reaches one hundred 4004
fifty per cent of the federal poverty line; 4005

(5) Subject to available funds, other individuals 4006
determined eligible in accordance with rules adopted under 4007
section 5104.38 of the Revised Code. 4008

The department shall apply to the United States department 4009
of health and human services for authority to operate a 4010
coordinated program for publicly funded child care, if the 4011
director of job and family services determines that the 4012
application is necessary. For purposes of this section, the 4013
department of job and family services may enter into agreements 4014
with other state agencies that are involved in regulation or 4015
funding of child care. The department shall consider the special 4016
needs of migrant workers when it administers and coordinates 4017
publicly funded child care and shall develop appropriate 4018
procedures for accommodating the needs of migrant workers for 4019
publicly funded child care. 4020

(B) The department of job and family services shall 4021
distribute state and federal funds for publicly funded child 4022
care, including appropriations of state funds for publicly 4023
funded child care and appropriations of federal funds available 4024
under the child care block grant act, Title IV-A, and Title XX. 4025
The department may use any state funds appropriated for publicly 4026
funded child care as the state share required to match any 4027
federal funds appropriated for publicly funded child care. 4028

(C) In the use of federal funds available under the child 4029
care block grant act, all of the following apply: 4030

(1) The department may use the federal funds to hire staff 4031
to prepare any rules required under this chapter and to 4032
administer and coordinate federal and state funding for publicly 4033
funded child care. 4034

(2) Not more than five per cent of the aggregate amount of 4035
the federal funds received for a fiscal year may be expended for 4036
administrative costs. 4037

(3) The department shall allocate and use at least four 4038
per cent of the federal funds for the following: 4039

(a) Activities designed to provide comprehensive consumer 4040
education to parents and the public; 4041

(b) Activities that increase parental choice; 4042

(c) Activities, including child care resource and referral 4043
services, designed to improve the quality, and increase the 4044
supply, of child care; 4045

(d) Establishing the step up to quality program pursuant 4046
to section 5104.29 of the Revised Code. 4047

(4) The department shall ensure that the federal funds 4048
will be used only to supplement, and will not be used to 4049
supplant, federal, state, and local funds available on the 4050
effective date of the child care block grant act for publicly 4051
funded child care and related programs. If authorized by rules 4052
adopted by the department pursuant to section 5104.42 of the 4053
Revised Code, county departments of job and family services may 4054
purchase child care from funds obtained through any other means. 4055

(D) The department shall encourage the development of 4056
suitable child care throughout the state, especially in areas 4057
with high concentrations of recipients of public assistance and 4058
families with low incomes. The department shall encourage the 4059
development of suitable child care designed to accommodate the 4060
special needs of migrant workers. On request, the department, 4061
through its employees or contracts with state or community child 4062
care resource and referral service organizations, shall provide 4063
consultation to groups and individuals interested in developing 4064
child care. The department of job and family services may enter 4065
into interagency agreements with the department of education, 4066

the chancellor of higher education, the department of 4067
development, and other state agencies and entities whenever the 4068
cooperative efforts of the other state agencies and entities are 4069
necessary for the department of job and family services to 4070
fulfill its duties and responsibilities under this chapter. 4071

The department shall develop and maintain a registry of 4072
persons providing child care. The director shall adopt rules in 4073
accordance with Chapter 119. of the Revised Code establishing 4074
procedures and requirements for the registry's administration. 4075

(E) (1) The director shall adopt rules in accordance with 4076
Chapter 119. of the Revised Code establishing both of the 4077
following: 4078

(a) Reimbursement ~~ceilings~~ rates for providers of publicly 4079
funded child care not later than the first day of July in each 4080
odd-numbered year; 4081

(b) A procedure for reimbursing and paying providers of 4082
publicly funded child care. 4083

(2) In establishing reimbursement ~~ceilings~~ rates under 4084
division (E) (1) (a) of this section, the director shall do all of 4085
the following: 4086

(a) Use the information obtained in accordance with 45 4087
C.F.R. 98.45; 4088

(b) Establish an enhanced reimbursement ~~ceiling~~ rate for 4089
providers who provide child care for caretaker parents who work 4090
nontraditional hours; 4091

(c) With regard to the step up to quality program 4092
established pursuant to section 5104.29 of the Revised Code, ~~do~~ 4093
~~both of the following:~~ 4094

~~(i) Establish establish enhanced reimbursement ceilings
rates for child day-care providers that participate in the
program and maintain quality ratings;~~

~~(ii) Weigh any reduction in reimbursement ceilings more
heavily against providers that do not participate in the program
or do not maintain quality ratings.~~

(3) In establishing reimbursement ~~ceilings~~ rates under
division (E) (1) (a) of this section, the director may establish
different reimbursement ~~ceilings~~ rates based on any of the
following:

- (a) Geographic location of the provider;
- (b) Type of care provided;
- (c) Age of the child served;
- (d) Special needs of the child served;
- (e) Whether the expanded hours of service are provided;
- (f) Whether weekend service is provided;
- (g) Whether the provider has exceeded the minimum
requirements of state statutes and rules governing child care;
- (h) Any other factors the director considers appropriate.

Sec. 5104.31. (A) Publicly funded child care may be
provided only by the following:

(1) Any of the following licensed by the department of job
and family services pursuant to section 5104.03 of the Revised
Code or pursuant to rules adopted under section 5104.018 of the
Revised Code:

- (a) A child day-care center, including a parent

cooperative child day-care center;	4121
(b) A type A family day-care home, including a parent	4122
cooperative type A family day-care home;	4123
(c) A licensed type B family day-care home.	4124
(2) An in-home aide who has been certified by the county	4125
department of job and family services pursuant to section	4126
5104.12 of the Revised Code;	4127
(3) A child day camp approved pursuant to section 5104.22	4128
of the Revised Code;	4129
(4) A licensed preschool program;	4130
(5) A licensed school child program;	4131
(6) A border state child care provider, except that a	4132
border state child care provider may provide publicly funded	4133
child care only to an individual who resides in an Ohio county	4134
that borders the state in which the provider is located.	4135
(B) Publicly funded child day-care may be provided in a	4136
child's own home only by an in-home aide.	4137
(C) (1) Except as provided in division (C) (2) of this	4138
section, a licensed child care program may provide publicly	4139
funded child care only if the program is rated through the step	4140
up to quality program established pursuant to section 5104.29 of	4141
the Revised Code.	4142
(2) A licensed child care program that is any of the	4143
following may provide publicly funded child care without being	4144
rated through the step up to quality program:	4145
(a) A program that operates only during the summer and for	4146
not more than fifteen consecutive weeks;	4147

(b) A program that operates only during school breaks;	4148
(c) A program that operates only on weekday evenings, weekends, or both;	4149 4150
(d) A program that holds a provisional license issued under section 5104.03 of the Revised Code;	4151 4152
(e) A program that had its step up to quality program rating removed by the department of job and family services within the previous twelve months;	4153 4154 4155
(f) A program that is the subject of a revocation action initiated by the department, but the license has not yet been revoked;	4156 4157 4158
<u>(g) A program that provides publicly funded child care to less than twenty-five per cent of the program's license capacity;</u>	4159 4160 4161
<u>(h) A program that is a type A family day-care home or licensed type B family day-care home.</u>	4162 4163
Sec. 5104.32. (A) All purchases of publicly funded child care shall be made under a contract entered into by a licensed child day-care center, licensed type A family day-care home, licensed type B family day-care home, certified in-home aide, approved child day camp, licensed preschool program, licensed school child program, or border state child care provider and the department of job and family services. All contracts for publicly funded child care shall be contingent upon the availability of state and federal funds. The department shall prescribe a standard form to be used for all contracts for the purchase of publicly funded child care, regardless of the source of public funds used to purchase the child care. To the extent permitted by federal law and notwithstanding any other provision	4164 4165 4166 4167 4168 4169 4170 4171 4172 4173 4174 4175 4176

of the Revised Code that regulates state contracts or contracts 4177
involving the expenditure of state or federal funds, all 4178
contracts for publicly funded child care shall be entered into 4179
in accordance with the provisions of this chapter and are exempt 4180
from any other provision of the Revised Code that regulates 4181
state contracts or contracts involving the expenditure of state 4182
or federal funds. 4183

(B) Each contract for publicly funded child care shall 4184
specify at least the following: 4185

(1) That the provider of publicly funded child care agrees 4186
to be paid for rendering services at the lower of the rate 4187
customarily charged by the provider for children enrolled for 4188
child care or the reimbursement ~~ceiling or~~ rate of payment 4189
established pursuant to section 5104.30 of the Revised Code; 4190

(2) That, if a provider provides child care to an 4191
individual potentially eligible for publicly funded child care 4192
who is subsequently determined to be eligible, the department 4193
agrees to pay for all child care provided between the date the 4194
county department of job and family services receives the 4195
individual's completed application and the date the individual's 4196
eligibility is determined; 4197

(3) Whether the county department of job and family 4198
services, the provider, or a child care resource and referral 4199
service organization will make eligibility determinations, 4200
whether the provider or a child care resource and referral 4201
service organization will be required to collect information to 4202
be used by the county department to make eligibility 4203
determinations, and the time period within which the provider or 4204
child care resource and referral service organization is 4205
required to complete required eligibility determinations or to 4206

transmit to the county department any information collected for 4207
the purpose of making eligibility determinations; 4208

(4) That the provider, other than a border state child 4209
care provider, shall continue to be licensed, approved, or 4210
certified pursuant to this chapter and shall comply with all 4211
standards and other requirements in this chapter and in rules 4212
adopted pursuant to this chapter for maintaining the provider's 4213
license, approval, or certification; 4214

(5) That, in the case of a border state child care 4215
provider, the provider shall continue to be licensed, certified, 4216
or otherwise approved by the state in which the provider is 4217
located and shall comply with all standards and other 4218
requirements established by that state for maintaining the 4219
provider's license, certificate, or other approval; 4220

(6) Whether the provider will be paid by the state 4221
department of job and family services or in some other manner as 4222
prescribed by rules adopted under section 5104.42 of the Revised 4223
Code; 4224

(7) That the contract is subject to the availability of 4225
state and federal funds. 4226

(C) (1) The department shall establish an automated child 4227
care system to track attendance and calculate payments for 4228
publicly funded child care. 4229

(2) Each eligible provider that provides publicly funded 4230
child care shall participate in the automated child care system. 4231
A provider participating in the system shall not do any of the 4232
following: 4233

(a) Use or have possession of a personal identification 4234
number or password issued to a caretaker parent under the 4235

automated child care system;	4236
(b) Falsify attendance records;	4237
(c) Knowingly seek or accept payment for publicly funded child care that was not provided or for which the provider was not eligible;	4238 4239 4240
(d) Knowingly seek or accept payment for child care provided to a child who resides in the provider's own home.	4241 4242
(D) The department may withhold any money due under this chapter and may recover through any appropriate method any money erroneously paid under this chapter if evidence demonstrates that a provider of publicly funded child care failed to comply with either of the following:	4243 4244 4245 4246 4247
(1) The terms of the contract entered into under this section;	4248 4249
(2) This chapter or any rules adopted under it.	4250
(E) If the department has evidence that a provider has employed an individual who is ineligible for employment under section 5104.013 of the Revised Code and the provider has not released the individual from employment upon notice that the individual is ineligible, the department may terminate immediately the contract entered into under this section to provide publicly funded child care.	4251 4252 4253 4254 4255 4256 4257
(F) Any decision by the department concerning publicly funded child care, including the recovery of funds, overpayment determinations, and contract terminations is final and is not subject to appeal, hearing, or further review under Chapter 119. of the Revised Code.	4258 4259 4260 4261 4262
<u>Sec. 5104.37. (A) In addition to the duties described in</u>	4263

division (D) of section 5104.30 of the Revised Code, the 4264
director of job and family services shall engage in activities 4265
to do the following: 4266

(1) Encourage the establishment and licensure of family 4267
day-care homes in this state, especially in areas with the 4268
greatest need for child care; 4269

(2) Connect families and caretaker parents in need of 4270
child care with family day-care homes not meeting the license 4271
capacity specified on their licenses, as described in division 4272
(E) of section 5104.03 of the Revised Code. 4273

(B) The director may contract with one or more third-party 4274
entities to assist the director in performing the duties 4275
described in division (A) of this section. 4276

(C) Not later than May 30, 2023, and periodically 4277
thereafter, the director shall submit to the general assembly a 4278
report documenting any barriers that may prevent the 4279
establishment or licensure of family day-care homes. The 4280
director shall submit the required report in accordance with 4281
section 101.68 of the Revised Code. 4282

Sec. 5104.38. In addition to any other rules adopted under 4283
this chapter, the director of job and family services shall 4284
adopt rules in accordance with Chapter 119. of the Revised Code 4285
governing financial and administrative requirements for publicly 4286
funded child care and establishing all of the following: 4287

(A) Procedures and criteria to be used in making 4288
determinations of eligibility for publicly funded child care 4289
that give priority to children of families with lower incomes 4290
and procedures and criteria for eligibility for publicly funded 4291
protective child care or homeless child care. The rules shall 4292

specify the maximum amount of income a family may have for 4293
initial and continued eligibility. The maximum amount shall not 4294
exceed three hundred per cent of the federal poverty line. The 4295
rules may specify exceptions to the eligibility requirements in 4296
the case of a family that previously received publicly funded 4297
child care and is seeking to have the child care reinstated 4298
after the family's eligibility was terminated. 4299

(B) Procedures under which an applicant for publicly 4300
funded child care may receive publicly funded child care while 4301
the county department of job and family services determines 4302
eligibility and under which a child care provider may appeal a 4303
denial of payment under division (A) (2) (b) of section 5104.34 of 4304
the Revised Code; 4305

(C) A schedule of fees requiring all eligible caretaker 4306
parents to pay a fee for publicly funded child care according to 4307
income and family size, which shall be uniform for all types of 4308
publicly funded child care, except as authorized by rule, and, 4309
to the extent permitted by federal law, shall permit the use of 4310
state and federal funds to pay the customary deposits and other 4311
advance payments that a provider charges all children who 4312
receive child care from that provider. 4313

(D) A formula for determining the amount of state and 4314
federal funds appropriated for publicly funded child care that 4315
may be allocated to a county department to use for 4316
administrative purposes; 4317

(E) Procedures to be followed by the department and county 4318
departments in recruiting individuals and groups to become 4319
providers of child care; 4320

(F) Procedures to be followed in establishing state or 4321

local programs designed to assist individuals who are eligible 4322
for publicly funded child care in identifying the resources 4323
available to them and to refer the individuals to appropriate 4324
sources to obtain child care; 4325

(G) Procedures to deal with fraud and abuse committed by 4326
either recipients or providers of publicly funded child care; 4327

(H) Procedures for establishing a child care grant or loan 4328
program in accordance with the child care block grant act; 4329

(I) Standards and procedures for applicants to apply for 4330
grants and loans, and for the department to make grants and 4331
loans; 4332

(J) A definition of "person who stands in loco parentis" 4333
for the purposes of division (LL) (3) of section 5104.01 of the 4334
Revised Code; 4335

(K) Procedures for a county department of job and family 4336
services to follow in making eligibility determinations and 4337
redeterminations for publicly funded child care available 4338
through telephone, computer, and other means at locations other 4339
than the county department; 4340

(L) If the director establishes a different reimbursement 4341
~~ceiling rate~~ under division (E) (3) (d) of section 5104.30 of the 4342
Revised Code, standards and procedures for determining the 4343
amount of the higher payment that is to be issued to a child 4344
care provider based on the special needs of the child being 4345
served; 4346

(M) To the extent permitted by federal law, procedures for 4347
paying for up to thirty days of child care for a child whose 4348
caretaker parent is seeking employment, taking part in 4349
employment orientation activities, or taking part in activities 4350

in anticipation of enrolling in or attending an education or 4351
training program or activity, if the employment or the education 4352
or training program or activity is expected to begin within the 4353
thirty-day period; 4354

(N) Any other rules necessary to carry out sections 4355
5104.30 to 5104.43 of the Revised Code. 4356

Sec. 5165.36. ~~(A)~~ The department of medicaid shall conduct 4357
a rebasing at least once every five state fiscal years. ~~Except~~ 4358
~~as provided in division (B) of this section, when~~ When the 4359
department conducts a rebasing for a state fiscal year, it shall 4360
conduct the rebasing for only the direct care, ancillary and 4361
support, and tax cost centers. A nursing facility provider shall 4362
spend money received from the rebasing conducted in state fiscal 4363
year 2022 on the direct care, ancillary and support, and tax 4364
cost centers only. 4365

~~(B) A nursing facility provider shall spend seventy per-~~ 4366
~~cent of any additional dollars received by the provider as a~~ 4367
~~result of a rebasing on direct care costs, including employee~~ 4368
~~salaries. The department may recover any amounts that are not~~ 4369
~~spent in accordance with this requirement. This requirement~~ 4370
~~applies to the department's rebasing in fiscal year 2022 and all~~ 4371
~~subsequent rebasings. The director shall adopt rules authorized~~ 4372
~~under section 5165.02 of the Revised Code as necessary to~~ 4373
~~implement this division, including to ensure that nursing~~ 4374
~~facility operators spend at least seventy per cent of the~~ 4375
~~additional dollars resulting from a rebasing on direct care~~ 4376
~~costs.~~ 4377

Sec. 5301.36. (A) Except in a county in which the county 4378
recorder has elected to require that all satisfactions of 4379
mortgages be recorded by separate instrument as allowed under 4380

section 5301.28 of the Revised Code, when recording a mortgage, 4381
county recorders shall leave space on the margin of the record 4382
for the entry of satisfaction, and record therein the 4383
satisfaction made on the mortgage, or permit the owner of the 4384
claim secured by the mortgage to enter such satisfaction. Such 4385
record shall have the same effect as the record of a release of 4386
the mortgage. 4387

(B) Within ninety days from the date of the satisfaction 4388
of a mortgage, the mortgagee shall record a release of the 4389
mortgage evidencing the fact of its satisfaction in the 4390
appropriate county recorder's office and pay any fees required 4391
for the recording. The mortgagee may, by contract with the 4392
mortgagor, recover the cost of the fees required for the 4393
recording of the satisfaction by the county recorder. 4394

~~(C) If (C) (1) Except as provided in division (C) (2) of~~ 4395
~~this section, if~~ the mortgagee fails to comply with division (B) 4396
of this section, the mortgagor of the unrecorded satisfaction 4397
and the current owner of the real property to which the mortgage 4398
pertains may recover, in a civil action, damages of two hundred 4399
fifty dollars. This division does not preclude or affect any 4400
other legal remedies or damages that may be available to the 4401
mortgagor. 4402

(2) A mortgagor or current owner of the real property 4403
shall not be eligible to collect the damages described in 4404
division (C) (1) of this section via a class action for 4405
violations of division (B) of this section that occurred in 4406
calendar year 2020. This division does not preclude or affect 4407
any other legal remedies or damages that may be available to the 4408
mortgagor or current owner. 4409

(D) (1) If upon the expiration of the ninety-day period 4410

described in division (B) of this section, the satisfaction of 4411
mortgage remains unrecorded, the current owner of the real 4412
property shall provide the mortgagee written notice, in 4413
accordance with the Rules of Civil Procedure, of the failure to 4414
enter the release of the mortgage of record. The notice shall be 4415
in substantially the following form: 4416

"OHIO LAW REQUIRES A MORTGAGEE, WHETHER THE ORIGINAL MORTGAGEE 4417
OR ANY SUCCESSOR TO THE INTEREST OF THE ORIGINAL MORTGAGEE, TO 4418
RECORD A RELEASE OF A MORTGAGE EVIDENCING ITS SATISFACTION IN 4419
THE APPROPRIATE COUNTY RECORDER'S OFFICE AND TO PAY ANY FEES 4420
REQUIRED FOR THE RECORDING WITHIN A CERTAIN TIME PERIOD. (Name 4421
of mortgagor)'S MORTGAGE LOAN, (loan number or other loan 4422
identification), FOR PROPERTY LOCATED AT (property address), WAS 4423
SATISFIED ON (date of satisfaction). IT APPEARS YOU HAVE YET TO 4424
RECORD A RELEASE OF THIS MORTGAGE. FAILURE TO RECORD THE RELEASE 4425
WITHIN 15 DAYS OF RECEIVING THIS NOTICE MAY RESULT IN A CIVIL 4426
ACTION FILED AGAINST YOU TO RECOVER REASONABLE ATTORNEYS' FEES 4427
AND COSTS INCURRED IN SUCH AN ACTION OR OTHERWISE TO OBTAIN THE 4428
RECORDING, PLUS DAMAGES OF \$100 FOR EACH DAY OF NONCOMPLIANCE 4429
NOT TO EXCEED \$5,000 IN TOTAL DAMAGES." 4430

(2) Within fifteen days after delivery of the notice 4431
described in division (D)(1) of this section, the mortgagee 4432
shall record a release of the mortgage evidencing the fact of 4433
its satisfaction in the appropriate county recorder's office and 4434
pay any fees required for the recording. The mortgagee may, by 4435
contract with the mortgagor or current owner of the real 4436
property, recover the cost of the fees required for the 4437
recording of the satisfaction by the county recorder. 4438

(E) If the mortgagee fails to comply with division (D)(2) 4439
of this section after receiving the notice in accordance with 4440

division (D) (1) of this section, the current owner of the real 4441
property may recover, in a civil action, reasonable attorneys' 4442
fees and costs incurred in such an action or otherwise to obtain 4443
the recording of a satisfaction of mortgage plus damages of one 4444
hundred dollars for each day of noncompliance, not to exceed 4445
five thousand dollars in total damages. 4446

This division does not preclude or affect any other legal 4447
remedies or damages that may be available to the current owner. 4448

(F) A mortgagee that records a release of a mortgage 4449
evidencing the fact of its satisfaction within the time periods 4450
required by this section shall not be in violation of this 4451
section, or subject to damages or fees, due to the failure of a 4452
county recorder to timely process that release of mortgage. 4453

(G) A current owner may combine the civil actions 4454
described in divisions (C) and (E) of this section by bringing 4455
one action to collect for both damages, or may bring separate 4456
actions. 4457

(H) As used in this section: 4458

(1) "Mortgagee" includes the original mortgagee or any 4459
successor to or assignee of the original mortgagee. 4460

(2) "Satisfaction" means that the obligation secured by a 4461
mortgage has been paid in full and the underlying obligation 4462
terminated, with no opportunities for future advancements. 4463

Sec. 5713.03. (A) The county auditor, from the best 4464
sources of information available, shall determine, as nearly as 4465
practicable, the true value of the fee simple estate, as if 4466
unencumbered but subject to any effects from the exercise of 4467
police powers or from other governmental actions, of each 4468
separate tract, lot, or parcel of real property and of 4469

buildings, structures, and improvements located thereon and the 4470
current agricultural use value of land valued for tax purposes 4471
in accordance with section 5713.31 of the Revised Code, in every 4472
district, according to the rules prescribed by this chapter and 4473
section 5715.01 of the Revised Code, and in accordance with the 4474
uniform rules and methods of valuing and assessing real property 4475
as adopted, prescribed, and promulgated by the tax commissioner. 4476
The auditor shall determine the taxable value of all real 4477
property by reducing its true or current agricultural use value 4478
by the percentage ordered by the commissioner. In determining 4479
the true value of any tract, lot, or parcel of real estate under 4480
this section, if such tract, lot, or parcel has been the subject 4481
of an arm's length sale between a willing seller and a willing 4482
buyer within a reasonable length of time, either before or after 4483
the tax lien date, the auditor may consider the sale price of 4484
such tract, lot, or parcel to be the true value for taxation 4485
purposes. However, the sale price in an arm's length transaction 4486
between a willing seller and a willing buyer shall not be 4487
considered the true value of the property sold if subsequent to 4488
the sale: 4489

~~(A)~~ (1) The tract, lot, or parcel of real estate loses 4490
value due to some casualty; 4491

~~(B)~~ (2) An improvement is added to the property. 4492

Nothing in this section or section 5713.01 of the Revised 4493
Code and no rule adopted under section 5715.01 of the Revised 4494
Code shall require the county auditor to change the true value 4495
in money of any property in any year except a year in which the 4496
tax commissioner is required to determine under section 5715.24 4497
of the Revised Code whether the property has been assessed as 4498
required by law. 4499

(B) Pursuant to division (A) of this section, the county auditor may determine the true value of real property that is part of a qualified low-income housing tax credit project through use of one or more of the market-data approach, the income approach, or the cost approach.

As used in division (B) of this section, "low-income housing tax credit project" means a qualified low-income housing project during its compliance period, as those terms are defined by section 42 of the Internal Revenue Code.

(C) The county auditor shall adopt and use a real property record approved by the commissioner for each tract, lot, or parcel of real property, setting forth the true and taxable value of land and, in the case of land valued in accordance with section 5713.31 of the Revised Code, its current agricultural use value, the number of acres of arable land, permanent pasture land, woodland, and wasteland in each tract, lot, or parcel. The auditor shall record pertinent information and the true and taxable value of each building, structure, or improvement to land, which value shall be included as a separate part of the total value of each tract, lot, or parcel of real property.

Sec. 5721.03. (A) At the time of making the delinquent land list, as provided in section 5721.011 of the Revised Code, the county auditor shall compile a delinquent tax list consisting of all lands on the delinquent land list on which taxes have become delinquent at the close of the collection period immediately preceding the making of the delinquent land list. The auditor shall also compile a delinquent vacant land tax list of all delinquent vacant lands prior to the institution of any foreclosure and forfeiture actions against delinquent vacant lands under section 5721.14 of the Revised Code or any

foreclosure actions against delinquent vacant lands under 4530
section 5721.18 of the Revised Code. 4531

The delinquent tax list, and the delinquent vacant land 4532
tax list if one is compiled, shall contain all of the 4533
information included on the delinquent land list, except that, 4534
if the auditor's records show that the name of the person in 4535
whose name the property currently is listed is not the name that 4536
appears on the delinquent land list, the name used in the 4537
delinquent tax list or the delinquent vacant land tax list shall 4538
be the name of the person the auditor's records show as the 4539
person in whose name the property currently is listed. 4540

Lands that have been included in a previously published 4541
delinquent tax list shall not be included in the delinquent tax 4542
list so long as taxes have remained delinquent on such lands for 4543
the entire intervening time. 4544

In either list, there may be included lands that have been 4545
omitted in error from a prior list and lands with respect to 4546
which the auditor has received a certification that a delinquent 4547
tax contract has become void since the publication of the last 4548
previously published list, provided the name of the owner was 4549
stricken from a prior list under section 5721.02 of the Revised 4550
Code. 4551

(B) (1) The auditor shall cause the delinquent tax list and 4552
the delinquent vacant land tax list, if one is compiled, to be 4553
published twice within sixty days after the delivery of the 4554
delinquent land duplicate to the county treasurer, The first 4555
publication shall be made in a newspaper of general circulation 4556
in the county. The ~~newspaper~~ second publication may be made 4557
either in a newspaper of general circulation in the county or on 4558
a web site maintained or approved by the county. If the second 4559

publication is made on such a web site, the auditor shall remove 4560
or cause to be removed the list or lists from that web site two 4561
weeks after publication. 4562

(2) When publication is made in a newspaper of general 4563
circulation in the county, the auditor shall comply with the 4564
following requirements: 4565

(a) The newspaper shall meet the requirements of section 4566
7.12 of the Revised Code. The auditor may publish the list or 4567
lists on a preprinted insert in the newspaper. The cost of the 4568
second newspaper publication of the list or lists, if 4569
applicable, shall not exceed three-fourths of the cost of the 4570
first publication of the list or lists. 4571

(b) The auditor shall insert display notices of the 4572
forthcoming publication of the delinquent tax list and, if it is 4573
to be published, the delinquent vacant land tax list once a week 4574
for two consecutive weeks in ~~a the newspaper of general~~ 4575
~~circulation in the county.~~ The display notices shall contain the 4576
times and methods of payment of taxes provided by law, including 4577
information concerning installment payments made in accordance 4578
with a written delinquent tax contract. The display notice for 4579
the delinquent tax list also shall include a notice that an 4580
interest charge will accrue on accounts remaining unpaid after 4581
the last day of November unless the taxpayer enters into a 4582
written delinquent tax contract to pay such taxes in 4583
installments. The display notice for the delinquent vacant land 4584
tax list, if it is to be published, also shall include a notice 4585
that delinquent vacant lands in the list are lands on which 4586
taxes have remained unpaid for one year after being certified 4587
delinquent, and that they are subject to foreclosure proceedings 4588
as provided in section 323.25, sections 323.65 to 323.79, or 4589

section 5721.18 of the Revised Code, or foreclosure and 4590
forfeiture proceedings as provided in section 5721.14 of the 4591
Revised Code. Each display notice also shall state that the 4592
lands are subject to a tax certificate sale under section 4593
5721.32 or 5721.33 of the Revised Code or assignment to a county 4594
land reutilization corporation, as the case may be, and shall 4595
include any other information that the auditor considers 4596
pertinent to the purpose of the notice. The display notices 4597
shall be furnished by the auditor to the newspaper selected to 4598
publish the lists at least ten days before their first 4599
publication. 4600

~~(2)~~ (c) Publication of the list or lists may be made by a 4601
newspaper in installments, provided the complete publication of 4602
each list is made twice during the sixty-day period as provided 4603
in division (B) (1) of this section. 4604

(3) ~~There shall be attached to the~~ The delinquent tax list 4605
shall be accompanied by a notice that the delinquent lands will 4606
be certified for foreclosure by the auditor unless the taxes, 4607
assessments, interest, and penalties due and owing on them are 4608
paid. ~~There shall be attached to the~~ If a delinquent vacant land 4609
~~tax list, if it is to be published, it shall be accompanied by a~~ 4610
notice that delinquent vacant lands will be certified for 4611
foreclosure or foreclosure and forfeiture by the auditor unless 4612
the taxes, assessments, interest, and penalties due and owing on 4613
them are paid within twenty-eight days after the final 4614
publication of the notice. 4615

(4) The auditor shall review the first publication of each 4616
list for accuracy and completeness and may correct any errors 4617
appearing in the list in the second publication. 4618

(5) Nothing in this section prohibits a foreclosure action 4619

from being brought against a parcel of land under section 4620
323.25, sections 323.65 to 323.79, or section 5721.18 of the 4621
Revised Code before the delinquent tax list or delinquent vacant 4622
land tax list that includes the parcel is published pursuant to 4623
division (B)(1) of this section if the list is not published 4624
within the time prescribed by that division. 4625

(C) For the purposes of section 5721.18 of the Revised 4626
Code, land is first certified delinquent on the date of the 4627
certification of the delinquent land list containing that land. 4628

Sec. 5747.01. Except as otherwise expressly provided or 4629
clearly appearing from the context, any term used in this 4630
chapter that is not otherwise defined in this section has the 4631
same meaning as when used in a comparable context in the laws of 4632
the United States relating to federal income taxes or if not 4633
used in a comparable context in those laws, has the same meaning 4634
as in section 5733.40 of the Revised Code. Any reference in this 4635
chapter to the Internal Revenue Code includes other laws of the 4636
United States relating to federal income taxes. 4637

As used in this chapter: 4638

(A) "Adjusted gross income" or "Ohio adjusted gross 4639
income" means federal adjusted gross income, as defined and used 4640
in the Internal Revenue Code, adjusted as provided in this 4641
section: 4642

(1) Add interest or dividends on obligations or securities 4643
of any state or of any political subdivision or authority of any 4644
state, other than this state and its subdivisions and 4645
authorities. 4646

(2) Add interest or dividends on obligations of any 4647
authority, commission, instrumentality, territory, or possession 4648

of the United States to the extent that the interest or 4649
dividends are exempt from federal income taxes but not from 4650
state income taxes. 4651

(3) Deduct interest or dividends on obligations of the 4652
United States and its territories and possessions or of any 4653
authority, commission, or instrumentality of the United States 4654
to the extent that the interest or dividends are included in 4655
federal adjusted gross income but exempt from state income taxes 4656
under the laws of the United States. 4657

(4) Deduct disability and survivor's benefits to the 4658
extent included in federal adjusted gross income. 4659

(5) Deduct the following, to the extent not otherwise 4660
deducted or excluded in computing federal or Ohio adjusted gross 4661
income: 4662

(a) Benefits under Title II of the Social Security Act and 4663
tier 1 railroad retirement; 4664

(b) Railroad retirement benefits, other than tier 1 4665
railroad retirement benefits, to the extent such amounts are 4666
exempt from state taxation under federal law. 4667

(6) Deduct the amount of wages and salaries, if any, not 4668
otherwise allowable as a deduction but that would have been 4669
allowable as a deduction in computing federal adjusted gross 4670
income for the taxable year, had the work opportunity tax credit 4671
allowed and determined under sections 38, 51, and 52 of the 4672
Internal Revenue Code not been in effect. 4673

(7) Deduct any interest or interest equivalent on public 4674
obligations and purchase obligations to the extent that the 4675
interest or interest equivalent is included in federal adjusted 4676
gross income. 4677

(8) Add any loss or deduct any gain resulting from the 4678
sale, exchange, or other disposition of public obligations to 4679
the extent that the loss has been deducted or the gain has been 4680
included in computing federal adjusted gross income. 4681

(9) Deduct or add amounts, as provided under section 4682
5747.70 of the Revised Code, related to contributions to 4683
variable college savings program accounts made or tuition units 4684
purchased pursuant to Chapter 3334. of the Revised Code. 4685

(10) (a) Deduct, to the extent not otherwise allowable as a 4686
deduction or exclusion in computing federal or Ohio adjusted 4687
gross income for the taxable year, the amount the taxpayer paid 4688
during the taxable year for medical care insurance and qualified 4689
long-term care insurance for the taxpayer, the taxpayer's 4690
spouse, and dependents. No deduction for medical care insurance 4691
under division (A) (10) (a) of this section shall be allowed 4692
either to any taxpayer who is eligible to participate in any 4693
subsidized health plan maintained by any employer of the 4694
taxpayer or of the taxpayer's spouse, or to any taxpayer who is 4695
entitled to, or on application would be entitled to, benefits 4696
under part A of Title XVIII of the "Social Security Act," 49 4697
Stat. 620 (1935), 42 U.S.C. 301, as amended. For the purposes of 4698
division (A) (10) (a) of this section, "subsidized health plan" 4699
means a health plan for which the employer pays any portion of 4700
the plan's cost. The deduction allowed under division (A) (10) (a) 4701
of this section shall be the net of any related premium refunds, 4702
related premium reimbursements, or related insurance premium 4703
dividends received during the taxable year. 4704

(b) Deduct, to the extent not otherwise deducted or 4705
excluded in computing federal or Ohio adjusted gross income 4706
during the taxable year, the amount the taxpayer paid during the 4707

taxable year, not compensated for by any insurance or otherwise, 4708
for medical care of the taxpayer, the taxpayer's spouse, and 4709
dependents, to the extent the expenses exceed seven and one-half 4710
per cent of the taxpayer's federal adjusted gross income. 4711

(c) For purposes of division (A)(10) of this section, 4712
"medical care" has the meaning given in section 213 of the 4713
Internal Revenue Code, subject to the special rules, 4714
limitations, and exclusions set forth therein, and "qualified 4715
long-term care" has the same meaning given in section 7702B(c) 4716
of the Internal Revenue Code. Solely for purposes of division 4717
(A)(10)(a) of this section, "dependent" includes a person who 4718
otherwise would be a "qualifying relative" and thus a 4719
"dependent" under section 152 of the Internal Revenue Code but 4720
for the fact that the person fails to meet the income and 4721
support limitations under section 152(d)(1)(B) and (C) of the 4722
Internal Revenue Code. 4723

(11)(a) Deduct any amount included in federal adjusted 4724
gross income solely because the amount represents a 4725
reimbursement or refund of expenses that in any year the 4726
taxpayer had deducted as an itemized deduction pursuant to 4727
section 63 of the Internal Revenue Code and applicable United 4728
States department of the treasury regulations. The deduction 4729
otherwise allowed under division (A)(11)(a) of this section 4730
shall be reduced to the extent the reimbursement is attributable 4731
to an amount the taxpayer deducted under this section in any 4732
taxable year. 4733

(b) Add any amount not otherwise included in Ohio adjusted 4734
gross income for any taxable year to the extent that the amount 4735
is attributable to the recovery during the taxable year of any 4736
amount deducted or excluded in computing federal or Ohio 4737

adjusted gross income in any taxable year. 4738

(12) Deduct any portion of the deduction described in 4739
section 1341(a)(2) of the Internal Revenue Code, for repaying 4740
previously reported income received under a claim of right, that 4741
meets both of the following requirements: 4742

(a) It is allowable for repayment of an item that was 4743
included in the taxpayer's adjusted gross income for a prior 4744
taxable year and did not qualify for a credit under division (A) 4745
or (B) of section 5747.05 of the Revised Code for that year; 4746

(b) It does not otherwise reduce the taxpayer's adjusted 4747
gross income for the current or any other taxable year. 4748

(13) Deduct an amount equal to the deposits made to, and 4749
net investment earnings of, a medical savings account during the 4750
taxable year, in accordance with section 3924.66 of the Revised 4751
Code. The deduction allowed by division (A)(13) of this section 4752
does not apply to medical savings account deposits and earnings 4753
otherwise deducted or excluded for the current or any other 4754
taxable year from the taxpayer's federal adjusted gross income. 4755

(14) (a) Add an amount equal to the funds withdrawn from a 4756
medical savings account during the taxable year, and the net 4757
investment earnings on those funds, when the funds withdrawn 4758
were used for any purpose other than to reimburse an account 4759
holder for, or to pay, eligible medical expenses, in accordance 4760
with section 3924.66 of the Revised Code; 4761

(b) Add the amounts distributed from a medical savings 4762
account under division (A)(2) of section 3924.68 of the Revised 4763
Code during the taxable year. 4764

(15) Add any amount claimed as a credit under section 4765
5747.059 of the Revised Code to the extent that such amount 4766

satisfies either of the following: 4767

(a) The amount was deducted or excluded from the 4768
computation of the taxpayer's federal adjusted gross income as 4769
required to be reported for the taxpayer's taxable year under 4770
the Internal Revenue Code; 4771

(b) The amount resulted in a reduction of the taxpayer's 4772
federal adjusted gross income as required to be reported for any 4773
of the taxpayer's taxable years under the Internal Revenue Code. 4774

(16) Deduct the amount contributed by the taxpayer to an 4775
individual development account program established by a county 4776
department of job and family services pursuant to sections 4777
329.11 to 329.14 of the Revised Code for the purpose of matching 4778
funds deposited by program participants. On request of the tax 4779
commissioner, the taxpayer shall provide any information that, 4780
in the tax commissioner's opinion, is necessary to establish the 4781
amount deducted under division (A)(16) of this section. 4782

(17)(a)(i) Subject to divisions (A)(17)(a)(iii), (iv), and 4783
(v) of this section, add five-sixths of the amount of 4784
depreciation expense allowed by subsection (k) of section 168 of 4785
the Internal Revenue Code, including the taxpayer's 4786
proportionate or distributive share of the amount of 4787
depreciation expense allowed by that subsection to a pass- 4788
through entity in which the taxpayer has a direct or indirect 4789
ownership interest. 4790

(ii) Subject to divisions (A)(17)(a)(iii), (iv), and (v) 4791
of this section, add five-sixths of the amount of qualifying 4792
section 179 depreciation expense, including the taxpayer's 4793
proportionate or distributive share of the amount of qualifying 4794
section 179 depreciation expense allowed to any pass-through 4795

entity in which the taxpayer has a direct or indirect ownership interest. 4796
4797

(iii) Subject to division (A) (17) (a) (v) of this section, 4798
for taxable years beginning in 2012 or thereafter, if the 4799
increase in income taxes withheld by the taxpayer is equal to or 4800
greater than ten per cent of income taxes withheld by the 4801
taxpayer during the taxpayer's immediately preceding taxable 4802
year, "two-thirds" shall be substituted for "five-sixths" for 4803
the purpose of divisions (A) (17) (a) (i) and (ii) of this section. 4804

(iv) Subject to division (A) (17) (a) (v) of this section, 4805
for taxable years beginning in 2012 or thereafter, a taxpayer is 4806
not required to add an amount under division (A) (17) of this 4807
section if the increase in income taxes withheld by the taxpayer 4808
and by any pass-through entity in which the taxpayer has a 4809
direct or indirect ownership interest is equal to or greater 4810
than the sum of (I) the amount of qualifying section 179 4811
depreciation expense and (II) the amount of depreciation expense 4812
allowed to the taxpayer by subsection (k) of section 168 of the 4813
Internal Revenue Code, and including the taxpayer's 4814
proportionate or distributive shares of such amounts allowed to 4815
any such pass-through entities. 4816

(v) If a taxpayer directly or indirectly incurs a net 4817
operating loss for the taxable year for federal income tax 4818
purposes, to the extent such loss resulted from depreciation 4819
expense allowed by subsection (k) of section 168 of the Internal 4820
Revenue Code and by qualifying section 179 depreciation expense, 4821
"the entire" shall be substituted for "five-sixths of the" for 4822
the purpose of divisions (A) (17) (a) (i) and (ii) of this section. 4823

The tax commissioner, under procedures established by the 4824
commissioner, may waive the add-backs related to a pass-through 4825

entity if the taxpayer owns, directly or indirectly, less than 4826
five per cent of the pass-through entity. 4827

(b) Nothing in division (A) (17) of this section shall be 4828
construed to adjust or modify the adjusted basis of any asset. 4829

(c) To the extent the add-back required under division (A) 4830
(17) (a) of this section is attributable to property generating 4831
nonbusiness income or loss allocated under section 5747.20 of 4832
the Revised Code, the add-back shall be situated to the same 4833
location as the nonbusiness income or loss generated by the 4834
property for the purpose of determining the credit under 4835
division (A) of section 5747.05 of the Revised Code. Otherwise, 4836
the add-back shall be apportioned, subject to one or more of the 4837
four alternative methods of apportionment enumerated in section 4838
5747.21 of the Revised Code. 4839

(d) For the purposes of division (A) (17) (a) (v) of this 4840
section, net operating loss carryback and carryforward shall not 4841
include the allowance of any net operating loss deduction 4842
carryback or carryforward to the taxable year to the extent such 4843
loss resulted from depreciation allowed by section 168(k) of the 4844
Internal Revenue Code and by the qualifying section 179 4845
depreciation expense amount. 4846

(e) For the purposes of divisions (A) (17) and (18) of this 4847
section: 4848

(i) "Income taxes withheld" means the total amount 4849
withheld and remitted under sections 5747.06 and 5747.07 of the 4850
Revised Code by an employer during the employer's taxable year. 4851

(ii) "Increase in income taxes withheld" means the amount 4852
by which the amount of income taxes withheld by an employer 4853
during the employer's current taxable year exceeds the amount of 4854

income taxes withheld by that employer during the employer's 4855
immediately preceding taxable year. 4856

(iii) "Qualifying section 179 depreciation expense" means 4857
the difference between (I) the amount of depreciation expense 4858
directly or indirectly allowed to a taxpayer under section 179 4859
of the Internal Revised Code, and (II) the amount of 4860
depreciation expense directly or indirectly allowed to the 4861
taxpayer under section 179 of the Internal Revenue Code as that 4862
section existed on December 31, 2002. 4863

(18) (a) If the taxpayer was required to add an amount 4864
under division (A) (17) (a) of this section for a taxable year, 4865
deduct one of the following: 4866

(i) One-fifth of the amount so added for each of the five 4867
succeeding taxable years if the amount so added was five-sixths 4868
of qualifying section 179 depreciation expense or depreciation 4869
expense allowed by subsection (k) of section 168 of the Internal 4870
Revenue Code; 4871

(ii) One-half of the amount so added for each of the two 4872
succeeding taxable years if the amount so added was two-thirds 4873
of such depreciation expense; 4874

(iii) One-sixth of the amount so added for each of the six 4875
succeeding taxable years if the entire amount of such 4876
depreciation expense was so added. 4877

(b) If the amount deducted under division (A) (18) (a) of 4878
this section is attributable to an add-back allocated under 4879
division (A) (17) (c) of this section, the amount deducted shall 4880
be situated to the same location. Otherwise, the add-back shall 4881
be apportioned using the apportionment factors for the taxable 4882
year in which the deduction is taken, subject to one or more of 4883

the four alternative methods of apportionment enumerated in 4884
section 5747.21 of the Revised Code. 4885

(c) No deduction is available under division (A) (18) (a) of 4886
this section with regard to any depreciation allowed by section 4887
168(k) of the Internal Revenue Code and by the qualifying 4888
section 179 depreciation expense amount to the extent that such 4889
depreciation results in or increases a federal net operating 4890
loss carryback or carryforward. If no such deduction is 4891
available for a taxable year, the taxpayer may carry forward the 4892
amount not deducted in such taxable year to the next taxable 4893
year and add that amount to any deduction otherwise available 4894
under division (A) (18) (a) of this section for that next taxable 4895
year. The carryforward of amounts not so deducted shall continue 4896
until the entire addition required by division (A) (17) (a) of 4897
this section has been deducted. 4898

(19) Deduct, to the extent not otherwise deducted or 4899
excluded in computing federal or Ohio adjusted gross income for 4900
the taxable year, the amount the taxpayer received during the 4901
taxable year as reimbursement for life insurance premiums under 4902
section 5919.31 of the Revised Code. 4903

(20) Deduct, to the extent not otherwise deducted or 4904
excluded in computing federal or Ohio adjusted gross income for 4905
the taxable year, the amount the taxpayer received during the 4906
taxable year as a death benefit paid by the adjutant general 4907
under section 5919.33 of the Revised Code. 4908

(21) Deduct, to the extent included in federal adjusted 4909
gross income and not otherwise allowable as a deduction or 4910
exclusion in computing federal or Ohio adjusted gross income for 4911
the taxable year, military pay and allowances received by the 4912
taxpayer during the taxable year for active duty service in the 4913

United States army, air force, navy, marine corps, or coast 4914
guard or reserve components thereof or the national guard. The 4915
deduction may not be claimed for military pay and allowances 4916
received by the taxpayer while the taxpayer is stationed in this 4917
state. 4918

(22) Deduct, to the extent not otherwise allowable as a 4919
deduction or exclusion in computing federal or Ohio adjusted 4920
gross income for the taxable year and not otherwise compensated 4921
for by any other source, the amount of qualified organ donation 4922
expenses incurred by the taxpayer during the taxable year, not 4923
to exceed ten thousand dollars. A taxpayer may deduct qualified 4924
organ donation expenses only once for all taxable years 4925
beginning with taxable years beginning in 2007. 4926

For the purposes of division (A) (22) of this section: 4927

(a) "Human organ" means all or any portion of a human 4928
liver, pancreas, kidney, intestine, or lung, and any portion of 4929
human bone marrow. 4930

(b) "Qualified organ donation expenses" means travel 4931
expenses, lodging expenses, and wages and salary forgone by a 4932
taxpayer in connection with the taxpayer's donation, while 4933
living, of one or more of the taxpayer's human organs to another 4934
human being. 4935

(23) Deduct, to the extent not otherwise deducted or 4936
excluded in computing federal or Ohio adjusted gross income for 4937
the taxable year, amounts received by the taxpayer as retired 4938
personnel pay for service in the uniformed services or reserve 4939
components thereof, or the national guard, or received by the 4940
surviving spouse or former spouse of such a taxpayer under the 4941
survivor benefit plan on account of such a taxpayer's death. If 4942

the taxpayer receives income on account of retirement paid under 4943
the federal civil service retirement system or federal employees 4944
retirement system, or under any successor retirement program 4945
enacted by the congress of the United States that is established 4946
and maintained for retired employees of the United States 4947
government, and such retirement income is based, in whole or in 4948
part, on credit for the taxpayer's uniformed service, the 4949
deduction allowed under this division shall include only that 4950
portion of such retirement income that is attributable to the 4951
taxpayer's uniformed service, to the extent that portion of such 4952
retirement income is otherwise included in federal adjusted 4953
gross income and is not otherwise deducted under this section. 4954
Any amount deducted under division (A) (23) of this section is 4955
not included in a taxpayer's adjusted gross income for the 4956
purposes of section 5747.055 of the Revised Code. No amount may 4957
be deducted under division (A) (23) of this section on the basis 4958
of which a credit was claimed under section 5747.055 of the 4959
Revised Code. 4960

(24) Deduct, to the extent not otherwise deducted or 4961
excluded in computing federal or Ohio adjusted gross income for 4962
the taxable year, the amount the taxpayer received during the 4963
taxable year from the military injury relief fund created in 4964
section 5902.05 of the Revised Code. 4965

(25) Deduct, to the extent not otherwise deducted or 4966
excluded in computing federal or Ohio adjusted gross income for 4967
the taxable year, the amount the taxpayer received as a veterans 4968
bonus during the taxable year from the Ohio department of 4969
veterans services as authorized by Section 2r of Article VIII, 4970
Ohio Constitution. 4971

(26) Deduct, to the extent not otherwise deducted or 4972

excluded in computing federal or Ohio adjusted gross income for 4973
the taxable year, any income derived from a transfer agreement 4974
or from the enterprise transferred under that agreement under 4975
section 4313.02 of the Revised Code. 4976

(27) Deduct, to the extent not otherwise deducted or 4977
excluded in computing federal or Ohio adjusted gross income for 4978
the taxable year, Ohio college opportunity or federal Pell grant 4979
amounts received by the taxpayer or the taxpayer's spouse or 4980
dependent pursuant to section 3333.122 of the Revised Code or 20 4981
U.S.C. 1070a, et seq., and used to pay room or board furnished 4982
by the educational institution for which the grant was awarded 4983
at the institution's facilities, including meal plans 4984
administered by the institution. For the purposes of this 4985
division, receipt of a grant includes the distribution of a 4986
grant directly to an educational institution and the crediting 4987
of the grant to the enrollee's account with the institution. 4988

(28) Deduct from the portion of an individual's federal 4989
adjusted gross income that is business income, to the extent not 4990
otherwise deducted or excluded in computing federal adjusted 4991
gross income for the taxable year, one hundred twenty-five 4992
thousand dollars for each spouse if spouses file separate 4993
returns under section 5747.08 of the Revised Code or two hundred 4994
fifty thousand dollars for all other individuals. 4995

(29) Deduct, as provided under section 5747.78 of the 4996
Revised Code, contributions to ABLE savings accounts made in 4997
accordance with sections 113.50 to 113.56 of the Revised Code. 4998

(30) (a) Deduct, to the extent not otherwise deducted or 4999
excluded in computing federal or Ohio adjusted gross income 5000
during the taxable year, all of the following: 5001

(i) Compensation paid to a qualifying employee described 5002
in division (A) (14) (a) of section 5703.94 of the Revised Code to 5003
the extent such compensation is for disaster work conducted in 5004
this state during a disaster response period pursuant to a 5005
qualifying solicitation received by the employee's employer; 5006

(ii) Compensation paid to a qualifying employee described 5007
in division (A) (14) (b) of section 5703.94 of the Revised Code to 5008
the extent such compensation is for disaster work conducted in 5009
this state by the employee during the disaster response period 5010
on critical infrastructure owned or used by the employee's 5011
employer; 5012

(iii) Income received by an out-of-state disaster business 5013
for disaster work conducted in this state during a disaster 5014
response period, or, if the out-of-state disaster business is a 5015
pass-through entity, a taxpayer's distributive share of the 5016
pass-through entity's income from the business conducting 5017
disaster work in this state during a disaster response period, 5018
if, in either case, the disaster work is conducted pursuant to a 5019
qualifying solicitation received by the business. 5020

(b) All terms used in division (A) (30) of this section 5021
have the same meanings as in section 5703.94 of the Revised 5022
Code. 5023

(31) For a taxpayer who is a qualifying Ohio educator, 5024
deduct, to the extent not otherwise deducted or excluded in 5025
computing federal or Ohio adjusted gross income for the taxable 5026
year, the lesser of two hundred fifty dollars or the amount of 5027
expenses described in subsections (a) (2) (D) (i) and (ii) of 5028
section 62 of the Internal Revenue Code paid or incurred by the 5029
taxpayer during the taxpayer's taxable year in excess of the 5030
amount the taxpayer is authorized to deduct for that taxable 5031

year under subsection (a) (2) (D) of that section. 5032

(32) Deduct, to the extent not otherwise deducted or 5033
excluded in computing federal or Ohio adjusted gross income for 5034
the taxable year, amounts received by the taxpayer as a 5035
disability severance payment, computed under 10 U.S.C. 1212, 5036
following discharge or release under honorable conditions from 5037
the armed forces, as defined by 10 U.S.C. 101. 5038

(33) Deduct, to the extent not otherwise deducted or 5039
excluded in computing federal adjusted gross income or Ohio 5040
adjusted gross income, amounts not subject to tax due to an 5041
agreement entered into under division (A) (2) of section 5747.05 5042
of the Revised Code. 5043

(34) Deduct amounts as provided under section 5747.79 of 5044
the Revised Code related to the taxpayer's qualifying capital 5045
gains and deductible payroll. 5046

To the extent a qualifying capital gain described under 5047
division (A) (34) of this section is business income, the 5048
taxpayer shall deduct those gains under this division before 5049
deducting any such gains under division (A) (28) of this section. 5050

(35) (a) For taxable years beginning in or after 2026, 5051
deduct, to the extent not otherwise deducted or excluded in 5052
computing federal or Ohio adjusted gross income for the taxable 5053
year: 5054

(i) One hundred per cent of the capital gain received by 5055
the taxpayer in the taxable year from a qualifying interest in 5056
an Ohio venture capital operating company attributable to the 5057
company's investments in Ohio businesses during the period for 5058
which the company was an Ohio venture operating company; and 5059

(ii) Fifty per cent of the capital gain received by the 5060

taxpayer in the taxable year from a qualifying interest in an 5061
Ohio venture capital operating company attributable to the 5062
company's investments in all other businesses during the period 5063
for which the company was an Ohio venture operating company. 5064

(b) Add amounts previously deducted by the taxpayer under 5065
division (A) (35) (a) of this section if the director of 5066
development certifies to the tax commissioner that the 5067
requirements for the deduction were not met. 5068

(c) All terms used in division (A) (35) of this section 5069
have the same meanings as in section 122.851 of the Revised 5070
Code. 5071

(d) To the extent a capital gain described in division (A) 5072
(35) (a) of this section is business income, the taxpayer shall 5073
apply that division before applying division (A) (28) of this 5074
section. 5075

(36) Add, to the extent not otherwise included in 5076
computing federal or Ohio adjusted gross income for any taxable 5077
year, the taxpayer's proportionate share of the amount of the 5078
tax levied under section 5747.38 of the Revised Code and paid by 5079
an electing pass-through entity for the taxable year. 5080

(37) Deduct, to the extent not otherwise deducted or 5081
excluded in computing federal or Ohio adjusted gross income for 5082
the taxable year, amounts delivered to a qualifying institution 5083
pursuant to section 3333.128 of the Revised Code for the benefit 5084
of the taxpayer or the taxpayer's spouse or dependent. 5085

(38) Deduct, to the extent not otherwise deducted or 5086
excluded in computing federal or Ohio adjusted gross income for 5087
the taxable year, amounts received under the Ohio adoption grant 5088
program pursuant to section 5101.191 of the Revised Code. 5089

(B) "Business income" means income, including gain or loss, arising from transactions, activities, and sources in the regular course of a trade or business and includes income, gain, or loss from real property, tangible property, and intangible property if the acquisition, rental, management, and disposition of the property constitute integral parts of the regular course of a trade or business operation. "Business income" includes income, including gain or loss, from a partial or complete liquidation of a business, including, but not limited to, gain or loss from the sale or other disposition of goodwill or the sale of an equity or ownership interest in a business.

As used in this division, the "sale of an equity or ownership interest in a business" means sales to which either or both of the following apply:

(1) The sale is treated for federal income tax purposes as the sale of assets.

(2) The seller materially participated, as described in 26 C.F.R. 1.469-5T, in the activities of the business during the taxable year in which the sale occurs or during any of the five preceding taxable years.

(C) "Nonbusiness income" means all income other than business income and may include, but is not limited to, compensation, rents and royalties from real or tangible personal property, capital gains, interest, dividends and distributions, patent or copyright royalties, or lottery winnings, prizes, and awards.

(D) "Compensation" means any form of remuneration paid to an employee for personal services.

(E) "Fiduciary" means a guardian, trustee, executor,

administrator, receiver, conservator, or any other person acting 5119
in any fiduciary capacity for any individual, trust, or estate. 5120

(F) "Fiscal year" means an accounting period of twelve 5121
months ending on the last day of any month other than December. 5122

(G) "Individual" means any natural person. 5123

(H) "Internal Revenue Code" means the "Internal Revenue 5124
Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended. 5125

(I) "Resident" means any of the following: 5126

(1) An individual who is domiciled in this state, subject 5127
to section 5747.24 of the Revised Code; 5128

(2) The estate of a decedent who at the time of death was 5129
domiciled in this state. The domicile tests of section 5747.24 5130
of the Revised Code are not controlling for purposes of division 5131
(I) (2) of this section. 5132

(3) A trust that, in whole or part, resides in this state. 5133
If only part of a trust resides in this state, the trust is a 5134
resident only with respect to that part. 5135

For the purposes of division (I) (3) of this section: 5136

(a) A trust resides in this state for the trust's current 5137
taxable year to the extent, as described in division (I) (3) (d) 5138
of this section, that the trust consists directly or indirectly, 5139
in whole or in part, of assets, net of any related liabilities, 5140
that were transferred, or caused to be transferred, directly or 5141
indirectly, to the trust by any of the following: 5142

(i) A person, a court, or a governmental entity or 5143
instrumentality on account of the death of a decedent, but only 5144
if the trust is described in division (I) (3) (e) (i) or (ii) of 5145

this section; 5146

(ii) A person who was domiciled in this state for the 5147
purposes of this chapter when the person directly or indirectly 5148
transferred assets to an irrevocable trust, but only if at least 5149
one of the trust's qualifying beneficiaries is domiciled in this 5150
state for the purposes of this chapter during all or some 5151
portion of the trust's current taxable year; 5152

(iii) A person who was domiciled in this state for the 5153
purposes of this chapter when the trust document or instrument 5154
or part of the trust document or instrument became irrevocable, 5155
but only if at least one of the trust's qualifying beneficiaries 5156
is a resident domiciled in this state for the purposes of this 5157
chapter during all or some portion of the trust's current 5158
taxable year. If a trust document or instrument became 5159
irrevocable upon the death of a person who at the time of death 5160
was domiciled in this state for purposes of this chapter, that 5161
person is a person described in division (I) (3) (a) (iii) of this 5162
section. 5163

(b) A trust is irrevocable to the extent that the 5164
transferor is not considered to be the owner of the net assets 5165
of the trust under sections 671 to 678 of the Internal Revenue 5166
Code. 5167

(c) With respect to a trust other than a charitable lead 5168
trust, "qualifying beneficiary" has the same meaning as 5169
"potential current beneficiary" as defined in section 1361(e) (2) 5170
of the Internal Revenue Code, and with respect to a charitable 5171
lead trust "qualifying beneficiary" is any current, future, or 5172
contingent beneficiary, but with respect to any trust 5173
"qualifying beneficiary" excludes a person or a governmental 5174
entity or instrumentality to any of which a contribution would 5175

qualify for the charitable deduction under section 170 of the Internal Revenue Code.

(d) For the purposes of division (I) (3) (a) of this section, the extent to which a trust consists directly or indirectly, in whole or in part, of assets, net of any related liabilities, that were transferred directly or indirectly, in whole or part, to the trust by any of the sources enumerated in that division shall be ascertained by multiplying the fair market value of the trust's assets, net of related liabilities, by the qualifying ratio, which shall be computed as follows:

(i) The first time the trust receives assets, the numerator of the qualifying ratio is the fair market value of those assets at that time, net of any related liabilities, from sources enumerated in division (I) (3) (a) of this section. The denominator of the qualifying ratio is the fair market value of all the trust's assets at that time, net of any related liabilities.

(ii) Each subsequent time the trust receives assets, a revised qualifying ratio shall be computed. The numerator of the revised qualifying ratio is the sum of (1) the fair market value of the trust's assets immediately prior to the subsequent transfer, net of any related liabilities, multiplied by the qualifying ratio last computed without regard to the subsequent transfer, and (2) the fair market value of the subsequently transferred assets at the time transferred, net of any related liabilities, from sources enumerated in division (I) (3) (a) of this section. The denominator of the revised qualifying ratio is the fair market value of all the trust's assets immediately after the subsequent transfer, net of any related liabilities.

(iii) Whether a transfer to the trust is by or from any of

the sources enumerated in division (I) (3) (a) of this section 5206
shall be ascertained without regard to the domicile of the 5207
trust's beneficiaries. 5208

(e) For the purposes of division (I) (3) (a) (i) of this 5209
section: 5210

(i) A trust is described in division (I) (3) (e) (i) of this 5211
section if the trust is a testamentary trust and the testator of 5212
that testamentary trust was domiciled in this state at the time 5213
of the testator's death for purposes of the taxes levied under 5214
Chapter 5731. of the Revised Code. 5215

(ii) A trust is described in division (I) (3) (e) (ii) of 5216
this section if the transfer is a qualifying transfer described 5217
in any of divisions (I) (3) (f) (i) to (vi) of this section, the 5218
trust is an irrevocable inter vivos trust, and at least one of 5219
the trust's qualifying beneficiaries is domiciled in this state 5220
for purposes of this chapter during all or some portion of the 5221
trust's current taxable year. 5222

(f) For the purposes of division (I) (3) (e) (ii) of this 5223
section, a "qualifying transfer" is a transfer of assets, net of 5224
any related liabilities, directly or indirectly to a trust, if 5225
the transfer is described in any of the following: 5226

(i) The transfer is made to a trust, created by the 5227
decedent before the decedent's death and while the decedent was 5228
domiciled in this state for the purposes of this chapter, and, 5229
prior to the death of the decedent, the trust became irrevocable 5230
while the decedent was domiciled in this state for the purposes 5231
of this chapter. 5232

(ii) The transfer is made to a trust to which the 5233
decedent, prior to the decedent's death, had directly or 5234

indirectly transferred assets, net of any related liabilities, 5235
while the decedent was domiciled in this state for the purposes 5236
of this chapter, and prior to the death of the decedent the 5237
trust became irrevocable while the decedent was domiciled in 5238
this state for the purposes of this chapter. 5239

(iii) The transfer is made on account of a contractual 5240
relationship existing directly or indirectly between the 5241
transferor and either the decedent or the estate of the decedent 5242
at any time prior to the date of the decedent's death, and the 5243
decedent was domiciled in this state at the time of death for 5244
purposes of the taxes levied under Chapter 5731. of the Revised 5245
Code. 5246

(iv) The transfer is made to a trust on account of a 5247
contractual relationship existing directly or indirectly between 5248
the transferor and another person who at the time of the 5249
decedent's death was domiciled in this state for purposes of 5250
this chapter. 5251

(v) The transfer is made to a trust on account of the will 5252
of a testator who was domiciled in this state at the time of the 5253
testator's death for purposes of the taxes levied under Chapter 5254
5731. of the Revised Code. 5255

(vi) The transfer is made to a trust created by or caused 5256
to be created by a court, and the trust was directly or 5257
indirectly created in connection with or as a result of the 5258
death of an individual who, for purposes of the taxes levied 5259
under Chapter 5731. of the Revised Code, was domiciled in this 5260
state at the time of the individual's death. 5261

(g) The tax commissioner may adopt rules to ascertain the 5262
part of a trust residing in this state. 5263

(J) "Nonresident" means an individual or estate that is 5264
not a resident. An individual who is a resident for only part of 5265
a taxable year is a nonresident for the remainder of that 5266
taxable year. 5267

(K) "Pass-through entity" has the same meaning as in 5268
section 5733.04 of the Revised Code. 5269

(L) "Return" means the notifications and reports required 5270
to be filed pursuant to this chapter for the purpose of 5271
reporting the tax due and includes declarations of estimated tax 5272
when so required. 5273

(M) "Taxable year" means the calendar year or the 5274
taxpayer's fiscal year ending during the calendar year, or 5275
fractional part thereof, upon which the adjusted gross income is 5276
calculated pursuant to this chapter. 5277

(N) "Taxpayer" means any person subject to the tax imposed 5278
by section 5747.02 of the Revised Code or any pass-through 5279
entity that makes the election under division (D) of section 5280
5747.08 of the Revised Code. 5281

(O) "Dependents" means one of the following: 5282

(1) For taxable years beginning on or after January 1, 5283
2018, and before January 1, 2026, dependents as defined in the 5284
Internal Revenue Code; 5285

(2) For all other taxable years, dependents as defined in 5286
the Internal Revenue Code and as claimed in the taxpayer's 5287
federal income tax return for the taxable year or which the 5288
taxpayer would have been permitted to claim had the taxpayer 5289
filed a federal income tax return. 5290

(P) "Principal county of employment" means, in the case of 5291

a nonresident, the county within the state in which a taxpayer 5292
performs services for an employer or, if those services are 5293
performed in more than one county, the county in which the major 5294
portion of the services are performed. 5295

(Q) As used in sections 5747.50 to 5747.55 of the Revised 5296
Code: 5297

(1) "Subdivision" means any county, municipal corporation, 5298
park district, or township. 5299

(2) "Essential local government purposes" includes all 5300
functions that any subdivision is required by general law to 5301
exercise, including like functions that are exercised under a 5302
charter adopted pursuant to the Ohio Constitution. 5303

(R) "Overpayment" means any amount already paid that 5304
exceeds the figure determined to be the correct amount of the 5305
tax. 5306

(S) "Taxable income" or "Ohio taxable income" applies only 5307
to estates and trusts, and means federal taxable income, as 5308
defined and used in the Internal Revenue Code, adjusted as 5309
follows: 5310

(1) Add interest or dividends, net of ordinary, necessary, 5311
and reasonable expenses not deducted in computing federal 5312
taxable income, on obligations or securities of any state or of 5313
any political subdivision or authority of any state, other than 5314
this state and its subdivisions and authorities, but only to the 5315
extent that such net amount is not otherwise includible in Ohio 5316
taxable income and is described in either division (S) (1) (a) or 5317
(b) of this section: 5318

(a) The net amount is not attributable to the S portion of 5319
an electing small business trust and has not been distributed to 5320

beneficiaries for the taxable year; 5321

(b) The net amount is attributable to the S portion of an 5322
electing small business trust for the taxable year. 5323

(2) Add interest or dividends, net of ordinary, necessary, 5324
and reasonable expenses not deducted in computing federal 5325
taxable income, on obligations of any authority, commission, 5326
instrumentality, territory, or possession of the United States 5327
to the extent that the interest or dividends are exempt from 5328
federal income taxes but not from state income taxes, but only 5329
to the extent that such net amount is not otherwise includible 5330
in Ohio taxable income and is described in either division (S) 5331
(1) (a) or (b) of this section; 5332

(3) Add the amount of personal exemption allowed to the 5333
estate pursuant to section 642(b) of the Internal Revenue Code; 5334

(4) Deduct interest or dividends, net of related expenses 5335
deducted in computing federal taxable income, on obligations of 5336
the United States and its territories and possessions or of any 5337
authority, commission, or instrumentality of the United States 5338
to the extent that the interest or dividends are exempt from 5339
state taxes under the laws of the United States, but only to the 5340
extent that such amount is included in federal taxable income 5341
and is described in either division (S) (1) (a) or (b) of this 5342
section; 5343

(5) Deduct the amount of wages and salaries, if any, not 5344
otherwise allowable as a deduction but that would have been 5345
allowable as a deduction in computing federal taxable income for 5346
the taxable year, had the work opportunity tax credit allowed 5347
under sections 38, 51, and 52 of the Internal Revenue Code not 5348
been in effect, but only to the extent such amount relates 5349

either to income included in federal taxable income for the 5350
taxable year or to income of the S portion of an electing small 5351
business trust for the taxable year; 5352

(6) Deduct any interest or interest equivalent, net of 5353
related expenses deducted in computing federal taxable income, 5354
on public obligations and purchase obligations, but only to the 5355
extent that such net amount relates either to income included in 5356
federal taxable income for the taxable year or to income of the 5357
S portion of an electing small business trust for the taxable 5358
year; 5359

(7) Add any loss or deduct any gain resulting from sale, 5360
exchange, or other disposition of public obligations to the 5361
extent that such loss has been deducted or such gain has been 5362
included in computing either federal taxable income or income of 5363
the S portion of an electing small business trust for the 5364
taxable year; 5365

(8) Except in the case of the final return of an estate, 5366
add any amount deducted by the taxpayer on both its Ohio estate 5367
tax return pursuant to section 5731.14 of the Revised Code, and 5368
on its federal income tax return in determining federal taxable 5369
income; 5370

(9) (a) Deduct any amount included in federal taxable 5371
income solely because the amount represents a reimbursement or 5372
refund of expenses that in a previous year the decedent had 5373
deducted as an itemized deduction pursuant to section 63 of the 5374
Internal Revenue Code and applicable treasury regulations. The 5375
deduction otherwise allowed under division (S) (9) (a) of this 5376
section shall be reduced to the extent the reimbursement is 5377
attributable to an amount the taxpayer or decedent deducted 5378
under this section in any taxable year. 5379

(b) Add any amount not otherwise included in Ohio taxable income for any taxable year to the extent that the amount is attributable to the recovery during the taxable year of any amount deducted or excluded in computing federal or Ohio taxable income in any taxable year, but only to the extent such amount has not been distributed to beneficiaries for the taxable year.

(10) Deduct any portion of the deduction described in section 1341(a) (2) of the Internal Revenue Code, for repaying previously reported income received under a claim of right, that meets both of the following requirements:

(a) It is allowable for repayment of an item that was included in the taxpayer's taxable income or the decedent's adjusted gross income for a prior taxable year and did not qualify for a credit under division (A) or (B) of section 5747.05 of the Revised Code for that year.

(b) It does not otherwise reduce the taxpayer's taxable income or the decedent's adjusted gross income for the current or any other taxable year.

(11) Add any amount claimed as a credit under section 5747.059 of the Revised Code to the extent that the amount satisfies either of the following:

(a) The amount was deducted or excluded from the computation of the taxpayer's federal taxable income as required to be reported for the taxpayer's taxable year under the Internal Revenue Code;

(b) The amount resulted in a reduction in the taxpayer's federal taxable income as required to be reported for any of the taxpayer's taxable years under the Internal Revenue Code.

(12) Deduct any amount, net of related expenses deducted

in computing federal taxable income, that a trust is required to 5409
report as farm income on its federal income tax return, but only 5410
if the assets of the trust include at least ten acres of land 5411
satisfying the definition of "land devoted exclusively to 5412
agricultural use" under section 5713.30 of the Revised Code, 5413
regardless of whether the land is valued for tax purposes as 5414
such land under sections 5713.30 to 5713.38 of the Revised Code. 5415
If the trust is a pass-through entity investor, section 5747.231 5416
of the Revised Code applies in ascertaining if the trust is 5417
eligible to claim the deduction provided by division (S) (12) of 5418
this section in connection with the pass-through entity's farm 5419
income. 5420

Except for farm income attributable to the S portion of an 5421
electing small business trust, the deduction provided by 5422
division (S) (12) of this section is allowed only to the extent 5423
that the trust has not distributed such farm income. 5424

(13) Add the net amount of income described in section 5425
641(c) of the Internal Revenue Code to the extent that amount is 5426
not included in federal taxable income. 5427

(14) Add or deduct the amount the taxpayer would be 5428
required to add or deduct under division (A) (17) or (18) of this 5429
section if the taxpayer's Ohio taxable income were computed in 5430
the same manner as an individual's Ohio adjusted gross income is 5431
computed under this section. 5432

(15) Add, to the extent not otherwise included in 5433
computing taxable income or Ohio taxable income for any taxable 5434
year, the taxpayer's proportionate share of the amount of the 5435
tax levied under section 5747.38 of the Revised Code and paid by 5436
an electing pass-through entity for the taxable year. 5437

(T) "School district income" and "school district income tax" have the same meanings as in section 5748.01 of the Revised Code. 5438
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(U) As used in divisions (A) (7), (A) (8), (S) (6), and (S) (7) of this section, "public obligations," "purchase obligations," and "interest or interest equivalent" have the same meanings as in section 5709.76 of the Revised Code. 5441
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(V) "Limited liability company" means any limited liability company formed under Chapter 1705. or 1706. of the Revised Code or under the laws of any other state. 5445
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(W) "Pass-through entity investor" means any person who, during any portion of a taxable year of a pass-through entity, is a partner, member, shareholder, or equity investor in that pass-through entity. 5448
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(X) "Banking day" has the same meaning as in section 1304.01 of the Revised Code. 5452
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(Y) "Month" means a calendar month. 5454

(Z) "Quarter" means the first three months, the second three months, the third three months, or the last three months of the taxpayer's taxable year. 5455
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(AA) (1) "Modified business income" means the business income included in a trust's Ohio taxable income after such taxable income is first reduced by the qualifying trust amount, if any. 5458
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(2) "Qualifying trust amount" of a trust means capital gains and losses from the sale, exchange, or other disposition of equity or ownership interests in, or debt obligations of, a qualifying investee to the extent included in the trust's Ohio 5462
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5465

taxable income, but only if the following requirements are 5466
satisfied: 5467

(a) The book value of the qualifying investee's physical 5468
assets in this state and everywhere, as of the last day of the 5469
qualifying investee's fiscal or calendar year ending immediately 5470
prior to the date on which the trust recognizes the gain or 5471
loss, is available to the trust. 5472

(b) The requirements of section 5747.011 of the Revised 5473
Code are satisfied for the trust's taxable year in which the 5474
trust recognizes the gain or loss. 5475

Any gain or loss that is not a qualifying trust amount is 5476
modified business income, qualifying investment income, or 5477
modified nonbusiness income, as the case may be. 5478

(3) "Modified nonbusiness income" means a trust's Ohio 5479
taxable income other than modified business income, other than 5480
the qualifying trust amount, and other than qualifying 5481
investment income, as defined in section 5747.012 of the Revised 5482
Code, to the extent such qualifying investment income is not 5483
otherwise part of modified business income. 5484

(4) "Modified Ohio taxable income" applies only to trusts, 5485
and means the sum of the amounts described in divisions (AA) (4) 5486
(a) to (c) of this section: 5487

(a) The fraction, calculated under section 5747.013, and 5488
applying section 5747.231 of the Revised Code, multiplied by the 5489
sum of the following amounts: 5490

(i) The trust's modified business income; 5491

(ii) The trust's qualifying investment income, as defined 5492
in section 5747.012 of the Revised Code, but only to the extent 5493

the qualifying investment income does not otherwise constitute 5494
modified business income and does not otherwise constitute a 5495
qualifying trust amount. 5496

(b) The qualifying trust amount multiplied by a fraction, 5497
the numerator of which is the sum of the book value of the 5498
qualifying investee's physical assets in this state on the last 5499
day of the qualifying investee's fiscal or calendar year ending 5500
immediately prior to the day on which the trust recognizes the 5501
qualifying trust amount, and the denominator of which is the sum 5502
of the book value of the qualifying investee's total physical 5503
assets everywhere on the last day of the qualifying investee's 5504
fiscal or calendar year ending immediately prior to the day on 5505
which the trust recognizes the qualifying trust amount. If, for 5506
a taxable year, the trust recognizes a qualifying trust amount 5507
with respect to more than one qualifying investee, the amount 5508
described in division (AA) (4) (b) of this section shall equal the 5509
sum of the products so computed for each such qualifying 5510
investee. 5511

(c) (i) With respect to a trust or portion of a trust that 5512
is a resident as ascertained in accordance with division (I) (3) 5513
(d) of this section, its modified nonbusiness income. 5514

(ii) With respect to a trust or portion of a trust that is 5515
not a resident as ascertained in accordance with division (I) (3) 5516
(d) of this section, the amount of its modified nonbusiness 5517
income satisfying the descriptions in divisions (B) (2) to (5) of 5518
section 5747.20 of the Revised Code, except as otherwise 5519
provided in division (AA) (4) (c) (ii) of this section. With 5520
respect to a trust or portion of a trust that is not a resident 5521
as ascertained in accordance with division (I) (3) (d) of this 5522
section, the trust's portion of modified nonbusiness income 5523

recognized from the sale, exchange, or other disposition of a 5524
debt interest in or equity interest in a section 5747.212 5525
entity, as defined in section 5747.212 of the Revised Code, 5526
without regard to division (A) of that section, shall not be 5527
allocated to this state in accordance with section 5747.20 of 5528
the Revised Code but shall be apportioned to this state in 5529
accordance with division (B) of section 5747.212 of the Revised 5530
Code without regard to division (A) of that section. 5531

If the allocation and apportionment of a trust's income 5532
under divisions (AA) (4) (a) and (c) of this section do not fairly 5533
represent the modified Ohio taxable income of the trust in this 5534
state, the alternative methods described in division (C) of 5535
section 5747.21 of the Revised Code may be applied in the manner 5536
and to the same extent provided in that section. 5537

(5) (a) Except as set forth in division (AA) (5) (b) of this 5538
section, "qualifying investee" means a person in which a trust 5539
has an equity or ownership interest, or a person or unit of 5540
government the debt obligations of either of which are owned by 5541
a trust. For the purposes of division (AA) (2) (a) of this section 5542
and for the purpose of computing the fraction described in 5543
division (AA) (4) (b) of this section, all of the following apply: 5544

(i) If the qualifying investee is a member of a qualifying 5545
controlled group on the last day of the qualifying investee's 5546
fiscal or calendar year ending immediately prior to the date on 5547
which the trust recognizes the gain or loss, then "qualifying 5548
investee" includes all persons in the qualifying controlled 5549
group on such last day. 5550

(ii) If the qualifying investee, or if the qualifying 5551
investee and any members of the qualifying controlled group of 5552
which the qualifying investee is a member on the last day of the 5553

qualifying investee's fiscal or calendar year ending immediately 5554
prior to the date on which the trust recognizes the gain or 5555
loss, separately or cumulatively own, directly or indirectly, on 5556
the last day of the qualifying investee's fiscal or calendar 5557
year ending immediately prior to the date on which the trust 5558
recognizes the qualifying trust amount, more than fifty per cent 5559
of the equity of a pass-through entity, then the qualifying 5560
investee and the other members are deemed to own the 5561
proportionate share of the pass-through entity's physical assets 5562
which the pass-through entity directly or indirectly owns on the 5563
last day of the pass-through entity's calendar or fiscal year 5564
ending within or with the last day of the qualifying investee's 5565
fiscal or calendar year ending immediately prior to the date on 5566
which the trust recognizes the qualifying trust amount. 5567

(iii) For the purposes of division (AA) (5) (a) (iii) of this 5568
section, "upper level pass-through entity" means a pass-through 5569
entity directly or indirectly owning any equity of another pass- 5570
through entity, and "lower level pass-through entity" means that 5571
other pass-through entity. 5572

An upper level pass-through entity, whether or not it is 5573
also a qualifying investee, is deemed to own, on the last day of 5574
the upper level pass-through entity's calendar or fiscal year, 5575
the proportionate share of the lower level pass-through entity's 5576
physical assets that the lower level pass-through entity 5577
directly or indirectly owns on the last day of the lower level 5578
pass-through entity's calendar or fiscal year ending within or 5579
with the last day of the upper level pass-through entity's 5580
fiscal or calendar year. If the upper level pass-through entity 5581
directly and indirectly owns less than fifty per cent of the 5582
equity of the lower level pass-through entity on each day of the 5583
upper level pass-through entity's calendar or fiscal year in 5584

which or with which ends the calendar or fiscal year of the 5585
lower level pass-through entity and if, based upon clear and 5586
convincing evidence, complete information about the location and 5587
cost of the physical assets of the lower pass-through entity is 5588
not available to the upper level pass-through entity, then 5589
solely for purposes of ascertaining if a gain or loss 5590
constitutes a qualifying trust amount, the upper level pass- 5591
through entity shall be deemed as owning no equity of the lower 5592
level pass-through entity for each day during the upper level 5593
pass-through entity's calendar or fiscal year in which or with 5594
which ends the lower level pass-through entity's calendar or 5595
fiscal year. Nothing in division (AA) (5) (a) (iii) of this section 5596
shall be construed to provide for any deduction or exclusion in 5597
computing any trust's Ohio taxable income. 5598

(b) With respect to a trust that is not a resident for the 5599
taxable year and with respect to a part of a trust that is not a 5600
resident for the taxable year, "qualifying investee" for that 5601
taxable year does not include a C corporation if both of the 5602
following apply: 5603

(i) During the taxable year the trust or part of the trust 5604
recognizes a gain or loss from the sale, exchange, or other 5605
disposition of equity or ownership interests in, or debt 5606
obligations of, the C corporation. 5607

(ii) Such gain or loss constitutes nonbusiness income. 5608

(6) "Available" means information is such that a person is 5609
able to learn of the information by the due date plus 5610
extensions, if any, for filing the return for the taxable year 5611
in which the trust recognizes the gain or loss. 5612

(BB) "Qualifying controlled group" has the same meaning as 5613

in section 5733.04 of the Revised Code. 5614

(CC) "Related member" has the same meaning as in section 5615
5733.042 of the Revised Code. 5616

(DD) (1) For the purposes of division (DD) of this section: 5617

(a) "Qualifying person" means any person other than a 5618
qualifying corporation. 5619

(b) "Qualifying corporation" means any person classified 5620
for federal income tax purposes as an association taxable as a 5621
corporation, except either of the following: 5622

(i) A corporation that has made an election under 5623
subchapter S, chapter one, subtitle A, of the Internal Revenue 5624
Code for its taxable year ending within, or on the last day of, 5625
the investor's taxable year; 5626

(ii) A subsidiary that is wholly owned by any corporation 5627
that has made an election under subchapter S, chapter one, 5628
subtitle A of the Internal Revenue Code for its taxable year 5629
ending within, or on the last day of, the investor's taxable 5630
year. 5631

(2) For the purposes of this chapter, unless expressly 5632
stated otherwise, no qualifying person indirectly owns any asset 5633
directly or indirectly owned by any qualifying corporation. 5634

(EE) For purposes of this chapter and Chapter 5751. of the 5635
Revised Code: 5636

(1) "Trust" does not include a qualified pre-income tax 5637
trust. 5638

(2) A "qualified pre-income tax trust" is any pre-income 5639
tax trust that makes a qualifying pre-income tax trust election 5640

as described in division (EE) (3) of this section. 5641

(3) A "qualifying pre-income tax trust election" is an 5642
election by a pre-income tax trust to subject to the tax imposed 5643
by section 5751.02 of the Revised Code the pre-income tax trust 5644
and all pass-through entities of which the trust owns or 5645
controls, directly, indirectly, or constructively through 5646
related interests, five per cent or more of the ownership or 5647
equity interests. The trustee shall notify the tax commissioner 5648
in writing of the election on or before April 15, 2006. The 5649
election, if timely made, shall be effective on and after 5650
January 1, 2006, and shall apply for all tax periods and tax 5651
years until revoked by the trustee of the trust. 5652

(4) A "pre-income tax trust" is a trust that satisfies all 5653
of the following requirements: 5654

(a) The document or instrument creating the trust was 5655
executed by the grantor before January 1, 1972; 5656

(b) The trust became irrevocable upon the creation of the 5657
trust; and 5658

(c) The grantor was domiciled in this state at the time 5659
the trust was created. 5660

(FF) "Uniformed services" has the same meaning as in 10 5661
U.S.C. 101. 5662

(GG) "Taxable business income" means the amount by which 5663
an individual's business income that is included in federal 5664
adjusted gross income exceeds the amount of business income the 5665
individual is authorized to deduct under division (A) (28) of 5666
this section for the taxable year. 5667

(HH) "Employer" does not include a franchisor with respect 5668

to the franchisor's relationship with a franchisee or an 5669
employee of a franchisee, unless the franchisor agrees to assume 5670
that role in writing or a court of competent jurisdiction 5671
determines that the franchisor exercises a type or degree of 5672
control over the franchisee or the franchisee's employees that 5673
is not customarily exercised by a franchisor for the purpose of 5674
protecting the franchisor's trademark, brand, or both. For 5675
purposes of this division, "franchisor" and "franchisee" have 5676
the same meanings as in 16 C.F.R. 436.1. 5677

(II) "Modified adjusted gross income" means Ohio adjusted 5678
gross income plus any amount deducted under divisions (A) (28) 5679
and (34) of this section for the taxable year. 5680

(JJ) "Qualifying Ohio educator" means an individual who, 5681
for a taxable year, qualifies as an eligible educator, as that 5682
term is defined in section 62 of the Internal Revenue Code, and 5683
who holds a certificate, license, or permit described in Chapter 5684
3319. or section 3301.071 of the Revised Code. 5685

Sec. 5747.98. (A) To provide a uniform procedure for 5686
calculating a taxpayer's aggregate tax liability under section 5687
5747.02 of the Revised Code, a taxpayer shall claim any credits 5688
to which the taxpayer is entitled in the following order: 5689

Either the retirement income credit under division (B) of 5690
section 5747.055 of the Revised Code or the lump sum retirement 5691
income credits under divisions (C), (D), and (E) of that 5692
section; 5693

Either the senior citizen credit under division (F) of 5694
section 5747.055 of the Revised Code or the lump sum 5695
distribution credit under division (G) of that section; 5696

The dependent care credit under section 5747.054 of the 5697

Revised Code;	5698
The credit for displaced workers who pay for job training under section 5747.27 of the Revised Code;	5699 5700
The campaign contribution credit under section 5747.29 of the Revised Code;	5701 5702
The twenty-dollar personal exemption credit under section 5747.022 of the Revised Code;	5703 5704
The joint filing credit under division (G) of section 5747.05 of the Revised Code;	5705 5706
The earned income credit under section 5747.71 of the Revised Code;	5707 5708
The nonrefundable credit for education expenses under section 5747.72 of the Revised Code;	5709 5710
The nonrefundable credit for donations to scholarship granting organizations under section 5747.73 of the Revised Code;	5711 5712 5713
The nonrefundable credit for tuition paid to a nonchartered nonpublic school under section 5747.75 of the Revised Code;	5714 5715 5716
The nonrefundable vocational job credit under section 5747.057 of the Revised Code;	5717 5718
 The credit for adoption of a minor child under section 5747.37 of the Revised Code;	5719 5720
The nonrefundable job retention credit under division (B) of section 5747.058 of the Revised Code;	5721 5722
The enterprise zone credit under section 5709.66 of the Revised Code;	5723 5724

The credit for beginning farmers who participate in a financial management program under division (B) of section 5747.77 of the Revised Code;	5725 5726 5727
The credit for selling or renting agricultural assets to beginning farmers under division (A) of section 5747.77 of the Revised Code;	5728 5729 5730
The credit for purchases of qualifying grape production property under section 5747.28 of the Revised Code;	5731 5732
The small business investment credit under section 5747.81 of the Revised Code;	5733 5734
The nonrefundable lead abatement credit under section 5747.26 of the Revised Code;	5735 5736
The opportunity zone investment credit under section 122.84 of the Revised Code;	5737 5738
The enterprise zone credits under section 5709.65 of the Revised Code;	5739 5740
The research and development credit under section 5747.331 of the Revised Code;	5741 5742
The credit for rehabilitating a historic building under section 5747.76 of the Revised Code;	5743 5744
The nonresident credit under division (A) of section 5747.05 of the Revised Code;	5745 5746
The credit for a resident's out-of-state income under division (B) of section 5747.05 of the Revised Code;	5747 5748
The refundable motion picture and Broadway theatrical production credit under section 5747.66 of the Revised Code;	5749 5750
The refundable jobs creation credit or job retention	5751

credit under division (A) of section 5747.058 of the Revised Code;	5752 5753
The refundable credit for taxes paid by a qualifying entity granted under section 5747.059 of the Revised Code;	5754 5755
The refundable credits for taxes paid by a qualifying pass-through entity granted under division (I) of section 5747.08 of the Revised Code;	5756 5757 5758
The refundable credit under section 5747.80 of the Revised Code for losses on loans made to the Ohio venture capital program under sections 150.01 to 150.10 of the Revised Code;	5759 5760 5761
The refundable credit for rehabilitating a historic building under section 5747.76 of the Revised Code;	5762 5763
The refundable credit under section 5747.39 of the Revised Code for taxes levied under section 5747.38 of the Revised Code paid by an electing pass-through entity.	5764 5765 5766
(B) For any credit, except the refundable credits enumerated in this section and the credit granted under division (H) of section 5747.08 of the Revised Code, the amount of the credit for a taxable year shall not exceed the taxpayer's aggregate amount of tax due under section 5747.02 of the Revised Code, after allowing for any other credit that precedes it in the order required under this section. Any excess amount of a particular credit may be carried forward if authorized under the section creating that credit. Nothing in this chapter shall be construed to allow a taxpayer to claim, directly or indirectly, a credit more than once for a taxable year.	5767 5768 5769 5770 5771 5772 5773 5774 5775 5776 5777
Section 101.02. That existing sections 102.01, 121.22, 124.134, 149.311, 149.43, 173.501, 307.6910, 1710.02, 2101.16, 2915.092, 3310.70, 3317.0212, 3333.051, 3505.183, 3509.05,	5778 5779 5780

3781.1010, 3929.43, 4503.591, 4509.70, 5104.30, 5104.31, 5781
5104.32, 5104.38, 5165.36, 5301.36, 5713.03, 5721.03, 5747.01, 5782
and 5747.98 of the Revised Code are hereby repealed. 5783

Section 105.10. That section 5747.37 of the Revised Code 5784
is hereby repealed. 5785

Section 107.10. The repeal of section 5747.37 of the 5786
Revised Code by Section 105.10 of this act does not affect tax 5787
credits first allowed due to legal adoptions of minor children 5788
occurring on or before December 31, 2022. A taxpayer who legally 5789
adopts a minor child on or before that date may claim or carry 5790
forward the tax credit authorized by section 5747.37 of the 5791
Revised Code, pursuant to the terms of that section as it 5792
existed immediately prior to its repeal by Section 105.10 of 5793
this act. 5794

Section 201.10. All items in this act are hereby 5795
appropriated as designated out of any moneys in the state 5796
treasury to the credit of the designated fund. For all operating 5797
appropriations made in this act, those in the first column are 5798
for fiscal year 2022 and those in the second column are for 5799
fiscal year 2023. The operating appropriations made in this act 5800
are in addition to any other operating appropriations made for 5801
the FY 2022-FY 2023 biennium. 5802

Section 205.10. 5803

5804

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B	General Revenue Fund				
C	GRF	055505	Pike County Capital Case	\$0	\$500,000
D	GRF	055509	Law Enforcement Reimbursement Training Pilot Program	\$0	\$5,000,000
E	TOTAL GRF General Revenue Fund			\$0	\$5,500,000
F	Dedicated Purpose Fund Group				
G	5CV3	055671	Ohio Crime Victim Justice Center	\$0	\$900,000
H	TOTAL Dedicated Purpose Fund Group			\$0	\$900,000
I	TOTAL ALL BUDGET FUND GROUPS			\$0	\$6,400,000

PIKE COUNTY CAPITAL CASE 5805

The foregoing appropriation item 055505, Pike County
Capital Case, shall be used, subject to the approval of the
Controlling Board, to defray the costs of capital case
litigation in Pike County. 5806
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5809

Section 205.15. 5810

LAW ENFORCEMENT REIMBURSEMENT TRAINING PILOT PROGRAM 5811

The foregoing appropriation item 055509, Law Enforcement
Reimbursement Training Pilot Program, shall be used by the
Attorney General to pay reimbursements in accordance with
division (C) of Section 701.70 of H.B. 110 of the 134th General
Assembly for continuing professional training programs for peace
officers and troopers as provided in section 109.803 of the 5812
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Revised Code, and any administrative costs incurred by the 5818
 Attorney General to administer the 18-month pilot program 5819
 described in Section 701.70 of H.B. 110 of the 134th General 5820
 Assembly. 5821

Notwithstanding any provision of the law to the contrary, 5822
 all amounts reappropriated at the end of FY 2022 to 5823
 appropriation item 055509, Law Enforcement Reimbursement 5824
 Training Pilot Program, in fiscal year 2023 may be used by the 5825
 Attorney General for the same purpose described above. 5826

Section 210.10. 5827

5828

	1	2	3	4	5
A	AGR DEPARTMENT OF AGRICULTURE				
B	General Revenue Fund				
C	GRF	700501	County Agricultural Societies	\$0	\$4,500,000
D	TOTAL GRF General Revenue Fund			\$0	\$4,500,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0	\$4,500,000

The foregoing appropriation item 700501, County 5829
 Agricultural Societies, shall be used to administer grants to 5830
 eligible county and independent agricultural societies in FY 5831
 2023. 5832

Section 220.10. 5833

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	1	2	3	4	5
A	DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES				
B	General Revenue Fund				
C	GRF	322502	Community Program Support	\$0	\$750,000
D	TOTAL General Revenue Fund			\$0	\$750,000
E	Dedicated Purpose Fund Group				
F	5Z10	653624	County Board Waiver Match	\$0	\$45,000,000
G	TOTAL DPF Dedicated Purpose Fund Group			\$0	\$45,000,000
H	Federal Fund Group				
I	3A40	653654	Medicaid Services	\$0	\$205,000,000
J	TOTAL FED Federal Fund Group			\$0	\$205,000,000
K	TOTAL ALL BUDGET FUND GROUPS			\$0	\$250,750,000

(A) In fiscal year 2023, a portion of funds from 5835
 appropriation item 653624, County Board Waiver Match, and 5836
 appropriation item 653654, Medicaid Services, may be used to 5837
 implement the Direct Support Professional Quarterly Retention 5838
 Payments Program during the period of July 1, 2022, through June 5839
 30, 2023. The Director of Developmental Disabilities shall 5840
 administer the program by doing the following: 5841

(1) Establishing criteria for eligible home and community- 5842
 based waiver providers; 5843

(2) Implementing an opt-in system;	5844
(3) Developing provider requirements on the payments;	5845
(4) Establishing quarterly provider payments based on percentage of the provider's reimbursed claims during the preceding quarter;	5846 5847 5848
(5) Collecting data on the initiative.	5849
(B) The Director of Developmental Disabilities shall adopt rules to implement this initiative. The Director of Developmental Disabilities shall consult with county boards of developmental disabilities, the Ohio Association of County Boards of Developmental Disabilities, and provider organizations to review the effectiveness of the initiative and make recommendations on the continuation of the initiative.	5850 5851 5852 5853 5854 5855 5856
Section 220.15.	5857
COMMUNITY PROGRAM SUPPORT	5858
Of the foregoing appropriation item 322502, Community Program Support, \$350,000 in fiscal year 2023 shall be allocated to Heinzerling Community Facilities and \$400,000 in fiscal year 2023 shall be allocated to Hattie Larlham.	5859 5860 5861 5862
Section 225.10.	5863
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1	2	3	4	5
A		DEV DEPARTMENT OF DEVELOPMENT		
B	General Revenue Fund			

C	GRF	195503	Local Development Projects	\$0	\$300,000
D	TOTAL GRF General Revenue Fund			\$0	\$300,000
E	Dedicated Purpose Fund Group				
F	5CV2	195559	Rent and Utility Assistance	\$0	\$161,000,000
G	5CV3	195457	Local Water and Sewer	\$0	\$75,000,000
H	5CV3	195579	Workforce Housing Development	\$0	\$25,000,000
I	5CV3	1956A1	Water and Sewer Quality Program	\$0	\$250,000,000
J	5CV3	1956E9	ARPA Arts Grant Program	\$0	\$50,000,000
K	5CV3	1956F6	ARPA Lead Prevention and Mitigation	\$0	\$150,000,000
L	TOTAL DPF Dedicated Purpose Fund Group			\$0	\$711,000,000
M	TOTAL ALL BUDGET FUND GROUPS			\$0	\$711,300,000

LOCAL DEVELOPMENT PROJECTS 5865

The foregoing appropriation item 195503, Local Development 5866
Projects, shall be allocated to the Medina County Emergency 5867
Housing Shelter. 5868

Section 225.12. 5869

RENT AND UTILITY ASSISTANCE 5870

The foregoing appropriation item 195559, Rent and Utility 5871

Assistance, shall be used by the Department of Development to 5872
disburse funding under the Emergency Rental Assistance program 5873
in accordance with the federal "American Rescue Plan Act of 5874
2021," Pub. L. No. 117-2, and program guidelines for the use of 5875
these funds provided by the U.S. Department of the Treasury. 5876

Notwithstanding any other law to the contrary, the funding 5877
disbursed under the foregoing appropriation item 195559, Rent 5878
and Utility Assistance, shall be used to provide payments 5879
towards an eligible household's rent and utility arrearages 5880
incurred before December 31, 2021. Funding disbursed under the 5881
foregoing appropriation item shall be used by December 31, 2023. 5882

Section 225.14. 5883

LOCAL WATER AND SEWER 5884

The foregoing appropriation item 195457, Local Water and 5885
Sewer, shall be used by the Department of Development to enter 5886
into grant agreements with city or county governments that will 5887
provide necessary water or sewer upgrades at a location to be 5888
utilized by a megaproject that satisfies the criteria described 5889
in section 122.17 of the Revised Code. 5890

Section 225.16. 5891

WORKFORCE HOUSING DEVELOPMENT 5892

Of the foregoing appropriation item 195579, Workforce 5893
Housing Development, \$15,000,000 in fiscal year 2023 shall be 5894
used for a Habitat for Humanity workforce housing development 5895
grant program administered by the Department of Development. 5896
Grants awarded shall not exceed \$50,000 per home constructed or 5897
fully rehabilitated into workforce housing by Habitat for 5898
Humanity. The Department of Development shall ensure, to the 5899
extent possible, that each house built with this grant money is 5900

sold to a household that has an income below 80% of the area median income. 5901
5902

Of the foregoing appropriation item 195579, Workforce Housing Development, \$9,000,000 in fiscal year 2023 shall be used for a Habitat for Humanity critical home repair grant program for households that have an income below 80% of the area median income. A majority of the funds distributed shall be to households that either contain at least one person with a disability or that is 65 years old or older. This program shall be administered by the Department of Development. 5903
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Of the foregoing appropriation item 195579, Workforce Housing Development, \$1,000,000 in fiscal year 2023 shall be used to establish a Habitat for Humanity statewide apprenticeship program. The statewide apprenticeship program shall expand upon the Habitat for Humanity of Southeast Ohio's regional workforce development pilot program and be administered by the Department of Development. 5911
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Section 225.18. 5918

WATER AND SEWER QUALITY PROGRAM 5919

The foregoing appropriation item 1956A1, Water and Sewer Quality Program, shall be used to award grants under the Water and Sewer Quality Program established in Section 259.30 of H.B. 168 of the 134th General Assembly. 5920
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5923

Section 225.20. 5924

ARPA ARTS GRANT PROGRAM 5925

The foregoing appropriation item 1956E9, ARPA Arts Grant Program, shall be used, in accordance with the "American Rescue Plan Act of 2021," Pub. L. No. 117-2, by the Department of 5926
5927
5928

Development to award grants under Section 701.10 of this act. 5929

Section 225.22. 5930

ARPA LEAD PREVENTION AND MITIGATION 5931

Of the foregoing appropriation item 1956F6, ARPA Lead 5932
Prevention and Mitigation, not less than \$20,000,000 in fiscal 5933
year 2023 shall be used by the Department of Development, in 5934
coordination with the Department of Health, to support lead 5935
poisoning prevention projects in the state including, but not 5936
limited to, lead-safe building certification, screening and 5937
testing for lead poisoning, education and community engagement, 5938
and early intervention for children and families impacted by 5939
lead. 5940

The amount remaining in fiscal year 2023 under the 5941
foregoing appropriation item 1956F6, ARPA Lead Prevention and 5942
Mitigation, shall be used by the Department of Development for 5943
workforce development, recruitment, and retention of lead 5944
contractors and to conduct lead abatement services including 5945
window and door replacement in residential properties, 5946
congregate care settings, and childcare facilities constructed 5947
before 1978. 5948

Any unexpended and unencumbered portion of the foregoing 5949
appropriation item 1956F6, ARPA Lead Prevention and Mitigation, 5950
at the end of fiscal year 2023 is hereby reappropriated for the 5951
same purpose in fiscal year 2024. 5952

Section 230.10. 5953

5954

A	DNR DEPARTMENT OF NATURAL RESOURCES			
B	General Revenue Fund			
C	GRF 725520	Special Projects	\$0	\$3,250,000
D	TOTAL GRF General Revenue Fund		\$0	\$3,250,000
E	TOTAL ALL BUDGET FUND GROUPS		\$0	\$3,250,000

SPECIAL PROJECTS 5955

Of the foregoing appropriation item 725520, Special 5956
 Projects, \$2,750,000 in fiscal year 2023 shall be used by the 5957
 Director of Natural Resources to support the prevention and 5958
 removal of invasive weeds at Indian Lake. Funding under this 5959
 line item may be used for the application of weed control 5960
 chemicals, weed harvesting, or other tasks necessary to control 5961
 invasive weeds in Indian Lake. 5962

Of the foregoing appropriation item 725520, Special 5963
 Projects, \$500,000 in fiscal year 2023 shall be used to support 5964
 the Mentor Erosion Mitigation Project. 5965

Section 235.10. 5966

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A	DOT DEPARTMENT OF TRANSPORTATION			
B	General Revenue Fund			
C	GRF 772502	Local Transportation Projects	\$0	\$150,000

D	TOTAL GRF General Revenue Fund	\$0	\$150,000
E	TOTAL ALL BUDGET FUND GROUPS	\$0	\$150,000

LOCAL TRANSPORTATION PROJECTS 5968

The foregoing appropriation item 772502, Local 5969
 Transportation Projects, shall be used to support the Regional 5970
 Transportation Improvement Project in Stark, Columbiana, and 5971
 Carroll counties. 5972

Section 240.10. 5973

5974

1 2 3 4 5

A DPS DEPARTMENT OF PUBLIC SAFETY

B General Revenue Fund

C	GRF 768425 Justice Program Services	\$0	\$1,000,000
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D	TOTAL GRF General Revenue Fund	\$0	\$1,000,000
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E	TOTAL ALL BUDGET FUND GROUPS	\$0	\$1,000,000
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JUSTICE PROGRAM SERVICES 5975

Of the foregoing appropriation item 768425, Justice 5976
 Program Services, \$1,000,000 in fiscal year 2023 shall be used 5977
 to provide grants to child advocacy centers to coordinate the 5978
 investigation, prosecution, and treatment of child sexual abuse 5979
 while helping abused children heal. 5980

Section 245.10. 5981

5982

	1	2	3	4	5
A	EDU DEPARTMENT OF EDUCATION				
B	Federal Fund Group				
C	3HS0	200640	Federal Coronavirus School Relief	\$0	\$1,750,000,000
D	TOTAL FED Federal Fund Group			\$0	\$1,750,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0	\$1,750,000,000

5983

Section 250.10.

5984

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	1	2	3	4	5
A	ETC BROADCAST EDUCATIONAL MEDIA COMMISSION				
B	General Revenue Fund				
C	GRF	935402	Ohio Government Telecommunications Services	\$0	\$90,000
D	TOTAL GRF General Revenue Fund			\$0	\$90,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0	\$90,000

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Section 255.10.

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	1	2	3	4	5
A	EXP OHIO EXPOSITIONS COMMISSION				
B	Dedicated Purpose Fund Group				
C	5CV3	723411	Expositions Commission - ARPA Recovery	\$0	\$50,000,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$0	\$50,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0	\$50,000,000

EXPOSITIONS COMMISSION - ARPA RECOVERY 5989

The General Manager of the Ohio Expositions Commission 5990
shall seek Controlling Board approval before expending any money 5991
under the foregoing appropriation item 723411, Expositions 5992
Commission - ARPA Recovery. 5993

Section 260.10. 5994

5995

	1	2	3	4	5
A	FCC FACILITIES CONSTRUCTION COMMISSION				
B	Dedicated Purpose Fund Group				
C	5CV3	230650	ARPA School Security	\$0	\$112,000,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$0	\$112,000,000

E	TOTAL ALL BUDGET FUND GROUPS	\$0	\$112,000,000	
	ARPA SCHOOL SECURITY			5996
	(A) The foregoing appropriation item 230650, ARPA School Security, shall be used by the Facilities Construction Commission to award grants of up to \$100,000 per school building to eligible public school districts and chartered nonpublic schools. Grants shall be awarded according to guidelines adopted by the Commission after consultation with the Ohio Department of Education and the division of Homeland Security of the Department of Public Safety. In awarding grants, the Commission may consider applications submitted by eligible public school districts in response to similar grant programs operated by the Commission that have not been awarded if such applications comply with guidelines adopted under this division.			5997 5998 5999 6000 6001 6002 6003 6004 6005 6006 6007 6008
	(B) All grants awarded under division (A) of this section shall comply with requirements of the federal "American Rescue Plan Act of 2021," Pub. L. No. 117-2.			6009 6010 6011
	(C) As used in division (A) of this section:			6012
	(1) "Eligible public school district" means any city, local, exempted village, or joint vocational school district, any community school established under Chapter 3314. of the Revised Code, and any STEM school established under Chapter 3326. of the Revised Code.			6013 6014 6015 6016 6017
	(2) "School building" means a classroom facility serving the educational needs of students that has not had construction completed within the prior five years under any of the programs authorized under Chapter 3318. of the Revised Code and that has not received grant funding under the School Safety Grant Program			6018 6019 6020 6021 6022

established in S.B. 310 of the 133rd General Assembly and funded 6023
by appropriation item C23020, School Safety Grant Program. 6024

(3) "Chartered nonpublic school" means a school that meets 6025
standards for nonpublic schools prescribed by the State Board of 6026
Education for nonpublic schools pursuant to section 3301.07 of 6027
the Revised Code. 6028

(D) On July 1, 2023, or as soon as possible thereafter, 6029
the Executive Director of the Ohio Facilities Construction 6030
Commission may certify to the Director of Budget and Management 6031
an amount up to the unexpended, unencumbered balance of the 6032
foregoing appropriation item 230650, ARPA School Security, at 6033
the end of fiscal year 2023 to be reappropriated to fiscal year 6034
2024. The amount certified is hereby appropriated to the same 6035
appropriation item for fiscal year 2024. 6036

Section 265.10. 6037

6038

	1	2	3	4	5
A			JFS DEPARTMENT OF JOB AND FAMILY SERVICES		
B			General Revenue Fund		
C	GRF	600450	Program Operations	\$0	\$30,550,000
D	GRF	600561	Parenting and Pregnancy Program	\$0	\$3,000,000
E	GRF	600562	Adoption Grant Program	\$0	\$15,000,000
F	GRF	600563	Putative Father Registry	\$0	\$500,000

G	TOTAL GRF General Revenue Fund	\$0	\$49,050,000
H	Dedicated Purpose Fund Group		
I	5CV3 600455 Operating Funds ARPA	\$0	\$13,000,000
J	5CV3 6006A2 Community Food Assistance - ARPA	\$0	\$25,000,000
K	5CV3 6006A3 County JFS	\$0	\$30,000,000
L	5CV3 6006A5 ARPA Food Assistance	\$0	\$5,000,000
M	5CV3 6006A6 Legal Services for Ukrainian Refugees	\$0	\$5,000,000
N	TOTAL DPF Dedicated Purpose Fund Group	\$0	\$78,000,000
O	Federal Fund Group		
P	3H70 600661 Child Care ARPA Supplement	\$0	\$498,500,000
Q	TOTAL FED Federal Fund Group	\$0	\$498,500,000
R	TOTAL ALL BUDGET FUND GROUPS	\$0	\$625,550,000

PROGRAM OPERATIONS 6039

Of the foregoing appropriation item 600450, Program 6040
Operations, \$300,000 in fiscal year 2023 shall be allocated to 6041
Ashland Foundations Community Childcare. 6042

Of the foregoing appropriation item 600450, Program 6043
Operations, \$250,000 in fiscal year 2023 shall be used to 6044
support the Connect Our Kids Family Connections training. 6045

PARENTING AND PREGNANCY PROGRAM 6046

The foregoing appropriation item 600561, Parenting and 6047
Pregnancy Program, shall be used, in accordance with section 6048
5101.804 of the Revised Code, to support the Ohio Parenting and 6049
Pregnancy Program. 6050

ADOPTION GRANT PROGRAM 6051

The foregoing appropriation item 600562, Adoption Grant 6052
Program, shall be used to administer grants to adoptive parents 6053
through the Adoption Grant Program, in accordance with sections 6054
5101.191 and 5101.192 of the Revised Code. 6055

If the Director of Job and Family Services determines that 6056
there are insufficient funds in fiscal year 2023 in 6057
appropriation item 600562, Adoption Grant Program, the Director 6058
may certify to the Director of Budget and Management the 6059
additional amount necessary to fund the Adoption Grant Program. 6060
The amount certified is hereby appropriated to appropriation 6061
item 600562, Adoption Grant Program. 6062

PUTATIVE FATHER REGISTRY 6063

The foregoing appropriation item 600563, Putative Father 6064
Registry, shall be used in accordance with sections 3107.062 and 6065
5103.155 and division (C) of section 2151.3534 of the Revised 6066
Code. 6067

Section 265.12. 6068

OPERATING FUNDS ARPA 6069

Of the foregoing appropriation item 600450, Program 6070
Operations, \$30,000,000 in fiscal year 2023, and the foregoing 6071
appropriation item 600455, Operating Funds ARPA, shall be used 6072
by the Department of Job and Family Services for Department 6073

operations in the event of a budget shortfall. 6074

Section 265.14. 6075

COMMUNITY FOOD ASSISTANCE 6076

Of the foregoing appropriation item 6006A2, Community Food 6077
Assistance - ARPA, in fiscal year 2023, \$12,500,000 shall be 6078
used to purchase, transport, store, and distribute livestock, 6079
dairy, and poultry protein products and \$12,500,000 shall be 6080
allocated to the Ohio Association of Food Banks and used for 6081
food products and other personal products. 6082

Section 265.16. 6083

COUNTY JFS 6084

The foregoing appropriation item 6006A3, County JFS, shall 6085
be provided to county departments of job and family services to 6086
conduct eligibility redeterminations of all Medicaid recipients 6087
in this state, as the designee of the Department of Medicaid, in 6088
accordance with Section 333.255 of H.B. 110 of the 134th General 6089
Assembly. 6090

Section 265.18. 6091

ARPA FOOD ASSISTANCE 6092

The foregoing appropriation item 6006A5, ARPA Food 6093
Assistance, shall be distributed to the Children's Hunger 6094
Alliance and used to provide meals to food-insecure children. 6095

An amount equal to the unexpended, unencumbered balance of 6096
appropriation item 6006A5, ARPA Food Assistance, at the end of 6097
fiscal year 2023 is hereby reappropriated to the same 6098
appropriation item for the same purpose for fiscal year 2024. 6099

Section 265.20. 6100

LEGAL SERVICES FOR UKRAINIAN REFUGEES 6101

The foregoing appropriation item 6006A6, Legal Services 6102
for Ukrainian Refugees, shall be allocated to the Ohio Access to 6103
Justice Foundation and shall be used to provide civil legal 6104
services to Ukrainian refugees. 6105

Section 265.22. 6106

CHILD CARE ARPA SUPPLEMENT 6107

The foregoing appropriation item 600661, Child Care ARPA 6108
Supplement, shall first be used by the Department of Job and 6109
Family Services to maximize the amount of funds expended on 6110
direct payments to providers serving children eligible for 6111
publicly funded child care. Any remaining appropriation after 6112
direct payments have been made shall be used only for increases 6113
in market rates, workforce supplements, copayment assistance, 6114
program business development supports, home-based program start- 6115
up grants, mental health and special needs services, and a 6116
shared services pilot program. Funds shall not be used to assist 6117
the Department in administering the child care program. 6118

Section 270.10. 6119

6120

	1	2	3	4	5
A			MCD DEPARTMENT OF MEDICAID		
B		General Revenue Fund			
C	GRF	651525 Medicaid Health Care Services -		\$0	\$2,340,000
		State			

D	GRF	651525	Medicaid Health Care Services - Federal	\$0	\$442,724,000
E			Medicaid Health Care Services - Total	\$0	\$445,064,000
F	TOTAL GRF General Revenue Fund				
G			State	\$0	\$2,340,000
H			Federal	\$0	\$442,724,000
I			GRF Total	\$0	\$445,064,000
J	Dedicated Purpose Fund Group				
K	5DL0	651690	Multi-system Youth Custody Relinquishment	\$0	\$9,000,000
L	5HC8	651698	MCD Home and Community Based Services	\$0	\$50,000,000
M	TOTAL DPF Dedicated Purpose Fund Group				
N	Federal Fund Group				
O	3F00	651623	Medicaid Services - Federal	\$0	\$1,056,712,000
P	TOTAL FED Federal Fund Group				
Q	TOTAL ALL BUDGET FUND GROUPS				

6121

Section 270.12.

6122

Of the foregoing appropriation item 651525, Medicaid 6123
Health Care Services, \$6,500,000 in fiscal year 2023 shall be 6124
used by the Department of Medicaid for a one-time payment to 6125
certain hospitals for provider relief payments. The total 6126
payments made by the Department pursuant to this section shall 6127
not exceed six million five hundred thousand dollars. 6128

A hospital is eligible for the one-time payment described 6129
in this section if it is located in a county with a population 6130
between 350,000 and 380,000 people and has been financially 6131
impacted by the COVID-19 pandemic. A hospital's one-time payment 6132
amount shall be calculated at a rate of eight hundred dollars 6133
for each Medicaid enrollee patient discharge made by the 6134
hospital during calendar year 2022. No hospital shall receive 6135
more than four million dollars in payment under this section. 6136

Section 270.14. In FY 2023, \$15,000,000 of the enhanced 6137
federal medical assistance percentage, enacted as a result of 6138
the COVID-19 pandemic, in Section 6008 of the "Families First 6139
Coronavirus Response Act," Pub. L. No. 116-127, shall be used to 6140
fund the one-time payment to each freestanding dialysis center, 6141
from GRF appropriation item 651525, Medicaid Health Care 6142
Services, in the manner in which the one-time payment is 6143
established in Section 751.20 of this act. 6144

An amount equal to the unexpended, unencumbered balance of 6145
the amount allocated in this section, at the end of fiscal year 6146
2023, is hereby reappropriated to the Department of Medicaid for 6147
the same purpose in fiscal year 2024. 6148

Section 270.15. MEDICAID ALLOCATIONS FROM ENHANCED FEDERAL 6149
MEDICAL ASSISTANCE PERCENTAGE 6150

(A) In fiscal year 2023, a portion of the enhanced federal 6151

medical assistance percentage, enacted as a result of the COVID- 6152
19 pandemic, in Section 6008 of the "Families First Coronavirus 6153
Response Act," Pub. L. No. 116-127, shall be used to fund 6154
provider relief allocations to critical access hospitals and 6155
rural hospitals, as determined by the Medicaid Director. This 6156
shall be funded from GRF appropriation item 651525, Medicaid 6157
Health Care Services. The amount of allocation shall not exceed 6158
\$62,000,000. 6159

(B) The Director of Budget and Management may increase the 6160
federal share of GRF appropriation item 651525, Medicaid Health 6161
Care Services, to fund the federal share of hospital provider 6162
relief. Any additional expenditures are hereby appropriated. 6163

Section 270.16. The Department of Medicaid shall 6164
administer a Critical Access Pharmacy Grant program. A pharmacy 6165
is eligible to apply for grant funds through the program if the 6166
pharmacy is located within a county that has no more than one 6167
retail pharmacy that participates in the Medicaid program 6168
located within the county. The program shall continue until the 6169
earlier of June 30, 2023, or the date that funds earmarked for 6170
the program are expended. Up to \$100,000 in fiscal year 2023 6171
shall be used to fund this Critical Access Pharmacy Grant 6172
program from appropriation item 651525, Medicaid Health Care 6173
Services. 6174

Section 270.22. 6175

PACE PROGRAM EXPANSION 6176

The foregoing appropriation item 651698, MCD Home and 6177
Community Based Services, shall be used to expand the component 6178
of the Medicaid program known as the Program of All-Inclusive 6179
Care for the Elderly or PACE to the entities approved to become 6180

PACE organizations after applying for approval as PACE 6181
 organizations in accordance with the request for proposals 6182
 established by division (B) (1) of Section 751.10 of this act. 6183

Section 275.10. 6184

6185

	1	2	3	4	5
A	MHA DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES				
B	Dedicated Purpose Fund Group				
C	5CV3	336657	Crisis Infrastructure Expansion	\$0	\$90,000,000
D	5HC8	652698	MHA Home and Community Based Services	\$0	\$85,000,000
E	TOTAL DPF Dedicated Purpose Fund Group			\$0	\$175,000,000
F	TOTAL ALL BUDGET FUND GROUPS			\$0	\$175,000,000

CRISIS INFRASTRUCTURE EXPANSION 6186

The foregoing appropriation item 336657, Crisis 6187
 Infrastructure Expansion, shall be used for one-time 6188
 infrastructure investments to support the expansion of crisis 6189
 infrastructure, including stabilization units, short-term crisis 6190
 residential services, hospital diversion and step-down centers, 6191
 mobile crisis response, and behavioral health urgent care 6192
 centers. Funding shall be allocated regionally based on the 6193
 Department of Mental Health and Addiction Services' regional 6194
 psychiatric hospital catchment areas. Funds allocated shall be 6195

used to pay for renovation, construction, operations, and 6196
technology upgrades for services. 6197

An amount equal to the unexpended, unencumbered balance of 6198
appropriation item 336657, Crisis Infrastructure Expansion, at 6199
the end of fiscal year 2023 is hereby reappropriated to the same 6200
appropriation item for the same purpose for fiscal year 2024. 6201

Section 275.12. 6202

MHA HOME AND COMMUNITY BASED SERVICES 6203

The foregoing appropriation item 652698, MHA Home and 6204
Community Based Services, shall be used by the Department of 6205
Mental Health and Addiction Services, in coordination with the 6206
Department of Higher Education, to expand career-focused 6207
programming in the behavioral health disciplines at state 6208
institutions of higher education, as defined in section 3345.011 6209
of the Revised Code, and nonprofit institutions holding a 6210
certificate of authorization pursuant to Chapter 1713. of the 6211
Revised Code, and to administer other initiatives to recruit, 6212
train, and retain a robust behavioral health workforce. Any 6213
expenditures shall be used in accordance with Section 9817 of 6214
the "American Rescue Plan Act of 2021," Pub. L. No. 117-2, and 6215
shall comply with the Department of Medicaid's Medicaid state 6216
plan approved by the United States Centers for Medicare and 6217
Medicaid Services (CMS) and any associated CMS guidance, 6218
reporting requirements, and certifications. 6219

Section 275.14. HOME AND COMMUNITY BASED SERVICES 6220
APPROPRIATIONS - STATE 6221

The Director of Budget and Management may authorize 6222
additional expenditures in appropriation items 651698, MCD Home 6223
and Community Based Services, 652698, MHA Home and Community 6224

Based Services, 653698, DDD Home and Community Based Services, 6225
655698, JFS Home and Community Based Services, 656698, AGE Home 6226
and Community Based Services, and 659698, BOR Home and Community 6227
Based Services, as long as the additional expenditures are 6228
offset by equal expenditure reductions in another of these 6229
appropriation items. Any additional expenditures shall be used 6230
in accordance with Section 9817 of the "American Rescue Plan Act 6231
of 2021," Pub. L. No. 117-2, and shall comply with the 6232
Department of Medicaid's Medicaid state plan approved by the 6233
United States Centers for Medicare and Medicaid Services (CMS) 6234
and any associated CMS guidance, reporting requirements, and 6235
certifications. Any additional expenditures are hereby 6236
appropriated. 6237

Section 275.16. HOME AND COMMUNITY BASED APPROPRIATIONS - 6238
FEDERAL 6239

The Director of Budget and Management may authorize 6240
additional expenditures in appropriation items 651699, MCD Home 6241
and Community Based Services - Federal, 652699, MHA Home and 6242
Community Based Services - Federal, 653699, DDD Home and 6243
Community Based Services - Federal, 655699, JFS Home and 6244
Community Based Services - Federal, 656699, AGE Home and 6245
Community Based Services - Federal, and 659699, BOR Home and 6246
Community Based Services - Federal. If additional expenditures 6247
are authorized in any of these appropriation items, the Director 6248
of Budget and Management shall make appropriation adjustments in 6249
any of the other items as necessary. Any additional expenditures 6250
shall be used in accordance with Section 9817 of the "American 6251
Rescue Plan Act of 2021," Pub. L. No. 117-2, and shall comply 6252
with the Department of Medicaid's Medicaid state plan approved 6253
by the United States Centers for Medicare and Medicaid Services 6254
(CMS) and any associated CMS guidance, reporting requirements, 6255

and certifications. Any additional expenditures are hereby 6256
appropriated. 6257

Section 280.10. 6258

6259

	1	2	3	4	5
A	OBM OFFICE OF BUDGET AND MANAGEMENT				
B	Dedicated Purpose Fund Group				
C	5CV3	042627	Ohio Ambulance Transportation	\$0	\$20,000,000
D	5CV3	042628	Adult Day Care	\$0	\$8,000,000
E	5CV3	042630	Statewide Hospital Support	\$0	\$100,000,000
F	5CV3	042631	Assisted Living Workforce Support	\$0	\$40,000,000
G	5CV3	042632	Hospice Care Workforce Support	\$0	\$30,000,000
H	5CV3	042633	HCBS Workforce Support	\$0	\$10,000,000
I	5CV3	042635	ALS Support Grants	\$0	\$1,000,000
J	5CV3	042636	Nursing Facility Workforce Support	\$0	\$350,000,000
K	5ZF0	042426	Ashtabula County Supplement	\$0	\$13,950,000
L	TOTAL Dedicated Purpose Fund Group			\$0	\$572,950,000

M TOTAL ALL BUDGET FUND GROUPS \$0 \$572,950,000

The foregoing appropriation item 042627, Ohio Ambulance Transportation, shall be used by the Director of Budget and Management to administer grants to any public, not-for-profit, or private ground ambulance transport provider, who submitted claims to the Ohio Department of Medicaid during the current state fiscal year.

Section 280.12.

The foregoing appropriation item 042628, Adult Day Care, shall be used by the Director of Budget and Management to administer grants to eligible adult day care providers during the current state fiscal year.

Section 280.14.

STATEWIDE HOSPITAL SUPPORT

(A) The foregoing appropriation item 042630, Statewide Hospital Support, shall be used to support hospitals throughout the state in accordance with this section.

(B) For the purposes described in this section and notwithstanding section 5164.48 of the Revised Code, the Director of Budget and Management may make payments to hospitals that are Medicaid providers, as defined in section 5164.01 of the Revised Code, and are general, acute-care hospitals in good standing classified by the Department of Medicaid as a critical access hospital or a rural hospital. A hospital shall use the payments exclusively for direct care staff compensation, which may include staff retention bonus payments, overtime pay and shift differential payments, staff recruitment costs, and new hire incentive payments. All funds distributed under this

section are in addition to the Medicaid payment rates set forth 6287
in Chapter 5164. of the Revised Code. 6288

(C) No funds under this section shall be paid to any of 6289
the following: 6290

(1) Contract workers; 6291

(2) Staff supplied by or through a staffing agency; 6292

(3) Hospital administrators; 6293

(4) Hospital executive staff; 6294

(5) Hospital owners. 6295

(D) The Director of Budget and Management may recover any 6296
funds that are used for any purpose other than as specified in 6297
this section. 6298

Section 280.16. 6299

ASSISTED LIVING WORKFORCE SUPPORT 6300

The foregoing appropriation item 042631, Assisted Living 6301
Workforce Support, shall be used to fund provider relief 6302
allocations for residential care facilities, as defined in 6303
section 3721.01 of the Revised Code. A residential care facility 6304
operator shall use the funds exclusively for direct care staff 6305
compensation, which may include staff retention bonus payments, 6306
overtime pay and shift differential payments, staff recruitment 6307
costs, and new hire incentive payments. No funds under this 6308
section shall be paid to any of the following: 6309

(A) Contract workers; 6310

(B) Staff supplied by or through a staffing agency; 6311

(C) Residential care facility administrators; 6312

(D) Residential care facility executive staff;	6313
(E) Residential care facility owners.	6314
The Director of Budget and Management may recover any of	6315
the funds under this section that are used for any purpose other	6316
than as specified in this section.	6317
Section 280.18.	6318
HOSPICE CARE WORKFORCE SUPPORT	6319
The foregoing appropriation item 042632, Hospice Care	6320
Workforce Support, shall be used to fund provider relief	6321
allocations for hospice care programs, as defined in section	6322
3712.01 of the Revised Code. A hospice care program operator	6323
shall use the funds exclusively for direct care staff	6324
compensation, which may include staff retention bonus payments,	6325
overtime pay and shift differential payments, staff recruitment	6326
costs, and new hire incentive payments. No funds under this	6327
section shall be paid to any of the following:	6328
(A) Contract workers;	6329
(B) Staff supplied by or through a staffing agency;	6330
(C) Hospice care program administrators;	6331
(D) Hospice care program executive staff;	6332
(E) Hospice care program owners.	6333
The Director of Budget and Management may recover any of	6334
the funds under this section that are used for any purpose other	6335
than as specified in this section.	6336
Section 280.20.	6337
HCBS WORKFORCE SUPPORT	6338

The foregoing appropriation item 042633, HCBS Workforce Support, shall be used to fund provider relief allocations for Medicaid home and community-based services providers. These funds shall be used exclusively for direct care staff compensation, which may include staff retention bonus payments, overtime pay and shift differential payments, staff recruitment costs, and new hire incentive payments. No funds under this section shall be paid to any of the following:

- (A) Contract workers;
- (B) Staff supplied by or through a staffing agency;
- (C) Program administrators;
- (D) Executive staff;
- (E) Owners.

The Director of Budget and Management may recover any of the funds under this section that are used for any purpose other than as specified in this section.

Section 280.21.

The foregoing appropriation item 042635, ALS Support Grants, shall be used by the Director of Budget and Management to administer grants to organizations for the expansion of in-home and respite care, the purchasing of durable medical equipment and home modifications, and professional services for persons with Amyotrophic Lateral Sclerosis (ALS).

Section 280.22.

ASHTABULA COUNTY SUPPLEMENT

The foregoing appropriation item 042426, Ashtabula County Supplement, shall be granted to the Ashtabula County

Commissioners for the purpose of retiring any outstanding debt 6366
obligations on the Geneva Lodge and Convention Center. Any funds 6367
in excess of the outstanding debt shall be used by the Ashtabula 6368
County Commissioners to pay costs of deferred maintenance on the 6369
lodge. 6370

Section 280.24. The County Supplemental Grant Fund (Fund 6371
5ZF0) is hereby created in the state treasury. The fund shall 6372
consist of moneys transferred to it pursuant to Section 280.26 6373
of this act and shall be used by the Director of Budget and 6374
Management pursuant to Section 280.22 of this act. 6375

Section 280.26. Within 30 days of the effective date of 6376
this act, the Director of Budget and Management shall transfer 6377
\$13,950,000 cash from the State Park Fund (Fund 5120) to the 6378
County Supplemental Grant Fund (Fund 5ZF0). 6379

Section 280.28. 6380

NURSING FACILITY WORKFORCE SUPPORT FOR ITEMS NOT COVERED 6381
BY MEDICAID OR MEDICAID MANAGED CARE CONTRACTS 6382

(A) As used in this section: 6383

(1) "Ancillary and support costs," "direct care costs," 6384
"nursing facility," and "operator" have the same meanings as in 6385
section 5165.01 of the Revised Code. 6386

(2) "CMS" means the United States Centers for Medicare and 6387
Medicaid Services. 6388

(3) "Long-stay resident" means an individual who has 6389
resided in a nursing facility for at least one hundred one days. 6390

(4) "Nursing facilities for which a quality score was 6391
determined" includes nursing facilities that are determined to 6392
have a quality score of zero. 6393

(B) The foregoing appropriation item 042636, Nursing Facility Workforce Support, shall be used by the Office of Budget and Management to provide a lump sum payment to nursing facilities that are Medicaid providers, for general relief and items not covered by Medicaid managed care organization contracts or general Medicaid rates. Nursing facility providers shall use the funds from the lump sum payment to make workforce relief payments in accordance with this section. The Office of Budget and Management shall distribute the appropriated funds as soon as practicable after December 31, 2022, but not later than April 1, 2023, as follows:

(1) Forty per cent of the appropriated funds shall be made as payments to nursing facilities based on each facility's total number of Medicaid days in calendar year 2021.

(2) Sixty per cent of the funds shall be made as quality payments to nursing facilities, to be determined in accordance with division (C) of this section.

(C) The Office of Budget and Management shall determine each nursing facility's quality payment under division (B) (2) of this section as follows:

(1) Determine the sum of the quality scores determined under division (D) of this section for all nursing facilities.

(2) Determine the value per quality point by determining the quotient of the following:

(a) The number that is sixty per cent of the appropriation made in this section;

(b) The sum determined under division (C) (1) of this section.

(3) Multiply the value per quality point determined under 6422
division (C) (2) of this section by the nursing facility's 6423
quality score determined under division (D) of this section. 6424

(D) A nursing facility's quality score shall be calculated 6425
as follows: 6426

(1) Calculate the sum of the total number of points that 6427
CMS assigned to the nursing facility under CMS's nursing 6428
facility five-star quality rating system for the following 6429
quality metrics based on the four-quarter average for calendar 6430
year 2021 in the database maintained by CMS and known as care 6431
compare: 6432

(a) The percentage of the nursing facility's long-stay 6433
residents at high risk for pressure ulcers who had pressure 6434
ulcers; 6435

(b) The percentage of the nursing facility's long-stay 6436
residents who had a urinary tract infection; 6437

(c) The percentage of the nursing facility's long-stay 6438
residents whose ability to move independently worsened; 6439

(d) The percentage of the nursing facility's long-stay 6440
residents who had a catheter inserted and left in their bladder. 6441

(2) If the nursing facility was in the lowest percentile 6442
for any of the measures specified in division (D) (1) of this 6443
section, reduce the facility's points to zero for that measure. 6444

(3) To the sum calculated under divisions (D) (1) and (2) 6445
of this section, add seven and one-half points if the nursing 6446
facility's occupancy rate during calendar year 2021 was seventy- 6447
five per cent or more. 6448

(E) A new nursing facility shall receive a quality score 6449

that equals the median quality score for all nursing facilities 6450
for which a quality score was determined. 6451

(F) A nursing facility provider shall use the funds 6452
received under this section only for workforce expenses. 6453

Section 285.10. 6454

6455

	1	2	3	4	5
A			SOS SECRETARY OF STATE		
B			General Revenue Fund Group		
C	GRF	050321	Operating Expenses	\$0	\$250,000
D			TOTAL General Revenue Fund	\$0	\$250,000
E			Dedicated Purpose Fund Group		
F	5ZE0	050638	Electronic Pollbooks	\$0	\$7,500,000
G			TOTAL DPF Dedicated Purpose Fund Group	\$0	\$7,500,000
H			TOTAL All BUDGET FUND GROUPS	\$0	\$7,750,000

OPERATING EXPENSES 6456

The foregoing appropriation item 050321, Operating 6457
Expenses, may be used by the Secretary of State to fund 6458
programs, services, and any other activities supporting public 6459
integrity, data analytics, and data transparency. 6460

Section 285.12. 6461

ELECTRONIC POLLBOOKS 6462

The foregoing appropriation item 050638, Electronic 6463
Pollbooks, shall be used by the Secretary of State to pay 6464
eighty-five per cent of the calculated allocation cost of 6465
acquiring electronic pollbooks, as defined in section 3506.05 of 6466
the Revised Code, and ancillary equipment, for county boards of 6467
elections in accordance with this section. 6468

An amount equal to the unexpended, unencumbered portion of 6469
the foregoing appropriation item 050638, Electronic Pollbooks, 6470
at the end of fiscal year 2023 is hereby reappropriated to the 6471
Secretary of State for the same purpose in fiscal year 2024. 6472

On the effective date of this section, or as soon as 6473
possible thereafter, the Director of Budget and Management shall 6474
transfer \$7,500,000 cash from the General Revenue Fund to the 6475
Electronic Pollbook Fund (Fund 5ZE0), which is hereby created in 6476
the state treasury. 6477

The Secretary of State shall calculate the portion of 6478
appropriation item 050638, Electronic Pollbooks, to be allocated 6479
to each county board of elections in proportion to the number of 6480
registered voters in each county as recorded in the statewide 6481
voter registration database as of July 1, 2022. The Secretary of 6482
State, in conjunction with the Office of Procurement Services 6483
within the Department of Administrative Services, shall use the 6484
funding allocated to each county board of elections for the 6485
purchase of electronic pollbooks and ancillary equipment as 6486
follows: 6487

(A) For electronic pollbooks and ancillary equipment to be 6488
purchased after the effective date of this section, upon request 6489
by a county board of elections, the Secretary of State shall 6490

provide a list of the vendors and electronic pollbooks certified 6491
in accordance with section 3506.05 of the Revised Code. The 6492
board of elections shall select electronic pollbooks from this 6493
list and notify the Office of Procurement Services of its 6494
selection. The Office shall purchase the selected electronic 6495
pollbooks and any other necessary equipment on behalf of the 6496
board of elections and shall transfer those pollbooks and 6497
equipment to the board. The board of elections shall enter into 6498
a memorandum of understanding with the applicable board of 6499
county commissioners and the Department of Administrative 6500
Services concerning those purchases. The Secretary of State 6501
shall reimburse the board of elections for the lesser amount of 6502
either eighty-five per cent of those purchases or the amount of 6503
the allocation as determined by the Secretary of State under 6504
this section. 6505

(B) If, prior to the effective date of this section and 6506
after the date of December 31, 2019, a board of elections 6507
purchased electronic pollbooks or ancillary equipment, the 6508
Secretary of State shall reimburse the board of elections for 6509
the lesser amount of either eighty-five per cent of that 6510
purchase or the amount of the allocation as determined by the 6511
Secretary of State under this section. Reimbursement shall be 6512
paid to the county general fund. 6513

Section 287.10. Amounts equal to the unexpended portions 6514
of appropriation items under the following recovery and relief 6515
funds, at the end of fiscal year 2023 are hereby reappropriated 6516
to the same appropriation items and shall be used for the same 6517
purposes in fiscal year 2024: Governor's Emergency Education 6518
Relief Fund (Fund 3HQ0), CARES Act School Relief Fund (Fund 6519
3HS0), Emergency Rental Assistance Fund (Fund 5CV2), State 6520
Fiscal Recovery Fund (Fund 5CV3), Local Fiscal Recovery Fund 6521

(Fund 5CV4), Coronavirus Capital Projects Fund (Fund 5CV5), and 6522
the Health and Human Services Fund (Fund 5SA4). 6523

Section 290.10. If the Director of Management and Budget 6524
determines, under the provisions of Section 757.01 of this act, 6525
that a tax amnesty should be conducted during calendar year 6526
2023, then all appropriation items in this section are to be 6527
appropriated out of money in the state treasury to the credit of 6528
the designated fund. For all appropriations made in this 6529
section, the amounts in the first column are for fiscal year 6530
2022 and the amounts in the second column are for fiscal year 6531
2023. The appropriations made in this section are in addition to 6532
any other appropriations made for the FY 2022-FY 2023 biennium. 6533

6534

	1	2	3	4	5
A	TAX DEPARTMENT OF TAXATION				
B	Dedicated Purpose Fund Group				
C	5BW0	110630	Tax Amnesty Promotion and Administration	\$0	\$1,000,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$0	\$1,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0	\$1,000,000

TAX AMNESTY PROMOTION AND ADMINISTRATION 6535

The foregoing appropriation item 110630, Tax Amnesty 6536
Promotion and Administration, shall be used by the Department of 6537
Taxation to promote and administer a tax amnesty program in 6538

calendar year 2023 if the Director of Budget and Management 6539
certifies that an amnesty is needed. If the Director so 6540
certifies, the Director shall transfer \$1,000,000 from the 6541
General Revenue Fund to Fund 5BW0 to pay initial costs of 6542
establishing a tax amnesty program. From initial receipts from 6543
the tax amnesty program, an amount equal to the amount so 6544
transferred is to be transferred back from Fund 5BW0 to the 6545
General Revenue Fund. 6546

Any unexpended and unencumbered amount of the foregoing 6547
appropriation item 110630, Tax Amnesty Promotion and 6548
Administration, remaining at the end of fiscal year 2023 is 6549
hereby reappropriated in fiscal year 2024, to be used for the 6550
same purpose. 6551

Section 295.10. Within the limits set forth in this act, 6552
the Director of Budget and Management shall establish accounts 6553
indicating the source and amount of funds for each appropriation 6554
made in this act, and shall determine the form and manner in 6555
which appropriation accounts shall be maintained. Expenditures 6556
from fiscal year 2023 operating appropriations contained in this 6557
act shall be accounted for as though made in H.B. 110 of the 6558
134th General Assembly. The fiscal year 2023 operating 6559
appropriations made in this act are subject to all provisions of 6560
H.B. 110 of the 134th General Assembly that are generally 6561
applicable to such appropriations. 6562

Expenditures from the fiscal year 2024 operating 6563
appropriations contained in this act shall be accounted for as 6564
though made in the main operating appropriations act of the 6565
135th General Assembly. The fiscal year 2024 operating 6566
appropriations made in this act are subject to all provisions of 6567
the main operating appropriations act of the 135th General 6568

Assembly that are generally applicable to such appropriations. 6569

Section 510.01. Notwithstanding any provision of law to 6570
the contrary, at the close of each fiscal quarter, or as soon as 6571
practicable thereafter, the Director of Budget and Management 6572
shall transfer the amounts equal to the investment earnings 6573
credited between March 31, 2021, to December 31, 2026, to the 6574
State Fiscal Recovery Fund (Fund 5CV3) and the Local Fiscal 6575
Recovery Fund (Fund 5CV4), both created by the Controlling 6576
Board, to the Controlling Board Emergency Purposes/Contingencies 6577
Fund created in section 127.19 of the Revised Code. 6578

Section 515.01. On the effective date of this section, or 6579
as soon as possible thereafter, the Director of Budget and 6580
Management shall determine the amount by which the funding level 6581
specified in division (B) (1) (a) of section 131.44 of the Revised 6582
Code exceeds the cash balance in the Budget Stabilization Fund, 6583
and shall transfer that amount from the General Revenue Fund to 6584
the Budget Stabilization Fund. 6585

Section 601.01. Section 757.01 of this act is hereby 6586
repealed, effective January 1, 2024. The repeal of Section 6587
757.01 of this act does not affect, after the effective date of 6588
the repeal, the rights, remedies, or actions authorized under 6589
that section. 6590

Section 605.01. That Sections 265.220, 307.270, 343.30, 6591
and 701.70 of H.B. 110 of the 134th General Assembly be amended 6592
to read as follows: 6593

Sec. 265.220. PHASE-IN PERCENTAGE FOR DISADVANTAGED PUPIL 6594
IMPACT AID 6595

For purposes of division (X) (2) of section 3317.02 of the 6596
Revised Code, the General Assembly has determined that the 6597

phase-in percentage for disadvantaged pupil impact aid for 6598
fiscal year 2022 shall be 0 per cent and the phase-in percentage 6599
for disadvantaged pupil impact aid for fiscal year 2023 shall be 6600
~~14-33.33~~ per cent. 6601

Sec. 307.270. PUBLICLY FUNDED CHILD CARE 6602

Of the foregoing appropriation item 600617, Child Care 6603
Federal, \$50,000,000 in fiscal year 2022 of the amounts provided 6604
from the "Consolidated Appropriations Act, 2021" Pub. L. No. 6605
116-260 shall be used to provide a discount to the co-payments, 6606
established under section 5104.38 of the Revised Code, for 6607
families participating in publicly funded child care. 6608

~~All of the~~ The following apply applies to funds provided 6609
through the "Consolidated Appropriations Act, 2021," Pub. L. No. 6610
116-260 or the "American Rescue Plan Act of 2021," Pub. L. No. 6611
117-2, including funds appropriated through appropriation item 6612
600617, Child Care Federal: 6613

~~(A)~~ In the event "Consolidated Appropriations Act, 2021," 6614
Pub. L. No. 116-260, funds not previously appropriated by the 6615
General Assembly, including through Controlling Board or as part 6616
of S.B. 109 of the 134th General Assembly, remain available, the 6617
Department of Job and Family Services shall use the funds to 6618
assist with stabilizing and sustaining the child care program, 6619
improve workforce recruitment and retention, and increase access 6620
for families. 6621

~~(B) In the event Ohio receives federal Child Care~~ 6622
~~Development Fund (CCDF) supplemental discretionary funds from~~ 6623
~~the "American Rescue Plan Act of 2021," Pub. L. No. 117-2, the~~ 6624
~~Department of Job and Family Services shall use the funds to~~ 6625
~~assist with stabilizing and sustaining the child care program,~~ 6626

~~improve workforce recruitment and retention, and increase access
for families.~~ 6627
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~~Sec. 343.30. STATE PARK OPERATIONS~~ 6629

~~Of the foregoing appropriation item, 725605, State Park
Operations, \$13,950,000 over the biennium ending June 30, 2023,
shall be used to purchase the Geneva Lodge and Conference Center
and pay operating costs for the facility pursuant to Section
715.20 of this act. An amount equal to \$13,950,000 less any
amount used to purchase or to pay the operating costs for the
Geneva Lodge and Conference Center in fiscal year 2022 is hereby
appropriated for the same purpose in fiscal year 2023.~~ 6630
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OIL AND GAS WELL PLUGGING 6638

The foregoing appropriation item 725677, Oil and Gas Well
Plugging, shall be used exclusively for the purposes of plugging
wells and to properly restore the land surface of idle and
orphan oil and gas wells pursuant to section 1509.071 of the
Revised Code. This appropriation item shall not be used for
salaries, maintenance, equipment, or other administrative
purposes, except for those costs directly attributable to the
plugging of an idle or orphan well. In addition, this
appropriation item shall not be used to transfer cash to any
other fund or appropriation item. 6639
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H2OHIO FUND 6649

On July 1, 2022, or as soon as possible thereafter, the
Director of Natural Resources may certify to the Director of
Budget and Management an amount up to the unexpended,
unencumbered balance of the foregoing appropriation item,
725681, H2Ohio, at the end of fiscal year 2022 to be
reappropriated in fiscal year 2023. Upon Controlling Board 6650
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approval, the amount certified is hereby reappropriated to the 6656
same appropriation item for fiscal year 2023. 6657

APPALACHIAN HILLS 6658

The foregoing appropriation item 725607, Appalachian 6659
Hills, shall be used to purchase the remainder of the American 6660
Electric Power ReCreation Land in southeastern Ohio. An amount 6661
equal to the unexpended, unencumbered portion of the foregoing 6662
appropriation item 725607, Appalachian Hills, at the end of 6663
fiscal year 2022 is hereby reappropriated to fiscal year 2023 6664
for the same purpose. 6665

WELL LOG FILING FEES 6666

The Chief of the Division of Water Resources shall deposit 6667
fees forwarded to the Division pursuant to section 1521.05 of 6668
the Revised Code into the Water Management Fund (Fund 5160) for 6669
the purposes described in that section. 6670

PARKS CAPITAL EXPENSES FUND 6671

The Director of Natural Resources shall submit to the 6672
Director of Budget and Management the estimated design, 6673
engineering, and planning costs of capital-related work to be 6674
done by Department of Natural Resources staff for parks projects 6675
within the Ohio Parks and Recreation Improvement Fund (Fund 6676
7035). If the Director of Budget and Management approves the 6677
estimated costs, the Director may release appropriations from 6678
Fund 7035 appropriation item C725E6, Project Planning, for those 6679
purposes. Upon release of the appropriations, the Department of 6680
Natural Resources shall pay for these expenses from the Parks 6681
Capital Expenses Fund (Fund 2270). Expenses paid from Fund 2270 6682
shall be reimbursed by Fund 7035 using an intrastate transfer 6683
voucher. 6684

NATUREWORKS CAPITAL EXPENSES FUND 6685

The Department of Natural Resources shall submit to the 6686
Director of Budget and Management the estimated design, 6687
planning, and engineering costs of capital-related work to be 6688
done by Department of Natural Resources staff for each capital 6689
improvement project within the Ohio Parks and Natural Resources 6690
Fund (Fund 7031). If the Director of Budget and Management 6691
approves the estimated costs, the Director may release 6692
appropriations from Fund 7031 appropriation item C725E5, Project 6693
Planning, for those purposes. Upon release of the 6694
appropriations, the Department of Natural Resources shall pay 6695
for these expenses from the Capital Expenses Fund (Fund 4S90). 6696
Expenses paid from Fund 4S90 shall be reimbursed by Fund 7031 6697
using an intrastate transfer voucher. 6698

PARK MAINTENANCE 6699

The foregoing appropriation item 725514, Park Maintenance, 6700
shall be used by the Department of Natural Resources to pay the 6701
costs of projects supported by the State Park Maintenance Fund 6702
(Fund 5TD0) under section 1501.08 of the Revised Code. 6703

On July 1 of each fiscal year or as soon as possible 6704
thereafter, the Director of Natural Resources shall certify the 6705
amount of five percent of the average of the previous five years 6706
of deposits in the State Park Fund (Fund 5120) to the Director 6707
of Budget and Management. The Director of Budget and Management 6708
may transfer up to \$1,600,000 from Fund 5120 to the State Park 6709
Maintenance Fund (Fund 5TD0). 6710

Sec. 701.70. (A) (1) As used in this section: 6711

(a) "Peace officer" has the same meaning as in section 6712
109.71 of the Revised Code. 6713

(b) "Trooper" means an individual appointed as a State Highway Patrol Trooper under section 5503.01 of the Revised Code. 6714
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(2) Not later than December 1, 2021, the Attorney General shall create a pilot program for state funding of the training of peace officers and troopers that is required under section 109.803 of the Revised Code. The pilot program shall be administered by the office of the Attorney General, in accordance with this section. The pilot program shall be ~~a one-year~~ an eighteen-month program, to be in existence ~~for calendar year~~ from January 1, 2022, until June 30, 2023. 6717
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~~(3)~~ The pilot program shall consist of two components. The first component applies with respect to state funding under the pilot program during calendar year 2022 of the training of peace officers and troopers that is required under section 109.803 of the Revised Code, and shall be in existence only for calendar year 2022. Divisions (B)(1) to (4) of this section apply with respect to that first component. The second component applies with respect to state funding under the pilot program from January 1, 2023, until June 30, 2023, of the training of peace officers and troopers that is required under section 109.803 of the Revised Code. Divisions (C)(1) to (6) of this section apply with respect to that second component. 6725
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(B)(1) Not later than December 2, 2021, each law enforcement agency that has peace officers or troopers who are subject to the training requirement set forth in section 109.803 of the Revised Code shall certify to the Attorney General the total of all salaries to be paid in calendar year 2022 to officers or troopers of the agency who will receive that training in calendar year 2022 and the hourly rate of pay for 6737
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each of those officers and troopers. 6744

~~(4)~~(2) Not later than January 1, 2022, the Attorney 6745
General shall begin the operation of the pilot program 6746
established under division (A) (2) of this section. Prior to that 6747
date, the Attorney General shall establish rules, under section 6748
111.15 of the Revised Code, for the operation and administration 6749
of the component of the pilot program governed by division (B) 6750
of this section, for the determination of eligibility for 6751
funding and payments under that component of the program, and 6752
for the provision of funding and payments under that component 6753
of the pilot program, in accordance with division (B) of this 6754
section. From money appropriated to the Attorney General for the 6755
purposes of such payments under that component of the pilot 6756
program, the Attorney General shall pay to each law enforcement 6757
agency that has peace officers or troopers who are subject to 6758
the training requirement set forth in section 109.803 of the 6759
Revised Code an amount to cover up to fifty per cent of the 6760
total cost of the salaries of the officers or troopers of the 6761
agency to be paid to officers or troopers who will receive that 6762
training in calendar year 2022, as certified by the agency in 6763
accordance with division ~~(A) (3)~~(B) (1) of this section, during 6764
the period of the training. The amount to be paid shall cover 6765
only the period during which the officers or troopers are 6766
receiving that training and shall not exceed an amount covering 6767
twenty-four hours of the training. If the amount of the money 6768
appropriated to the Attorney General for the purposes of the 6769
component of the pilot program governed by division (B) of this 6770
section is insufficient to pay fifty per cent of the total cost 6771
of the salaries of the peace officers or troopers of all law 6772
enforcement agencies to be paid in calendar year 2022 to 6773
officers or troopers who will receive that training in calendar 6774

year 2022, the amount to be paid to each such agency shall be 6775
reduced proportionately so that each agency is paid an equal 6776
percentage of its cost in the year for the training. No payment 6777
shall be made to any law enforcement agency under division (B) 6778
of this division-section after January 1, 2023. If a law 6779
enforcement agency that receives money under this division does 6780
not use all of the money for the salaries certified by the 6781
agency in accordance with division ~~(A)(3)~~ (B)(1) of this section, 6782
the agency shall ~~return~~ retain all of the money not used ~~to the~~ 6783
~~Attorney General~~ and shall use the retained money only for paying 6784
the cost of future continuing professional training programs for 6785
its peace officers and troopers. 6786

A law enforcement agency that receives any payments under 6787
this division shall be responsible for paying the cost of 6788
training of its peace officers or troopers required under 6789
section 109.803 of the Revised Code that exceeds the amount of 6790
the payment received under the pilot program under this 6791
division. 6792

~~(5)(3)~~ Except as otherwise provided in this division, 6793
state funding for the training of peace officers or troopers 6794
that is required under section 109.803 of the Revised Code shall 6795
be provided in calendar year 2022 only in accordance with 6796
division ~~(A)(4)~~ (B)(2) of this section, notwithstanding former 6797
section 109.802 of the Revised Code as it existed prior to 6798
September 20, 2021, rule 109:2-18-04 of the Administrative Code, 6799
and any other provision of law that addresses any alternative 6800
method of state funding for such training. The limitation 6801
specified in this division does not apply with respect to direct 6802
appropriations made to a state law enforcement agency or with 6803
respect to funding in accordance with division (C) of this 6804
section as that division exists on and after the effective date 6805

of this amendment. 6806

~~(6)~~(4) Each law enforcement agency that receives money 6807
under division ~~(A)~~(4)~~(B)~~(2) of this section shall submit to the 6808
Attorney General, by the date specified by the Attorney General, 6809
a report that states the amount of money the agency received, 6810
how that money was used, when it was used, and any other 6811
information with respect to the use of the money that is 6812
required by the Attorney General. The Attorney General shall 6813
prepare a report that compiles the information in the reports 6814
received from law enforcement agencies under this division and 6815
submit the report to the General Assembly and the Legislative 6816
Service Commission. 6817

~~(B)~~(1)~~(C)~~(1) From money appropriated to the Attorney 6818
General for the purposes of payments under the component of the 6819
pilot program governed by division (C) of this section, the 6820
Attorney General shall pay reimbursements in accordance with 6821
division (C) of this section for continuing professional 6822
training programs for peace officers and troopers as provided in 6823
section 109.803 of the Revised Code. 6824

(2) The Attorney General shall establish rules, under 6825
section 111.15 of the Revised Code, specifying application 6826
procedures, standards, and guidelines, and prescribing an 6827
application form, for the reimbursement under division (C) of 6828
this section of law enforcement agencies for the cost of 6829
continuing professional training programs for their peace 6830
officers and troopers that is required under section 109.803 of 6831
the Revised Code. The rules shall include, but are not limited 6832
to, all of the following: 6833

(a) The date by which applications must be made and the 6834
documentation required to substantiate any costs for which the 6835

applicant seeks reimbursement; 6836

(b) Procedures for making reimbursements from the fund and 6837
standards for determining the amounts of those reimbursements; 6838

(c) Any other requirements necessary for the proper 6839
administration of the reimbursement program under division (C) 6840
of this section. 6841

(3) Each law enforcement agency may apply to the Attorney 6842
General for reimbursement under division (C) of this section for 6843
the costs of continuing professional training programs that are 6844
successfully completed by the agency's peace officers or 6845
troopers. Each application shall be made in accordance with, on 6846
an application form prescribed in, and be supported by the 6847
documentation required by, the rules adopted by the Attorney 6848
General pursuant to division (C)(2) of this section. 6849

(4) The Attorney General shall review each application for 6850
reimbursement made under division (C)(3) of this section to 6851
determine if the applicant is entitled to reimbursement for the 6852
training programs for which the applicant seeks reimbursement. A 6853
law enforcement agency that complies with division (B) of 6854
section 109.761 of the Revised Code and applies under division 6855
(C)(3) of this section for reimbursement is entitled to 6856
reimbursement for each of the agency's peace officers or 6857
troopers who timely complies with the continuing professional 6858
training requirement specified in division (A)(1) of section 6859
109.803 of the Revised Code by completing the minimum number of 6860
hours of training directed by the Ohio peace officer training 6861
commission under that division and with the other requirements 6862
described in that division. 6863

(5) If a law enforcement agency that applies under 6864

division (C) (3) of this section for reimbursement is entitled to 6865
reimbursement under division (C) (4) of this section for each 6866
peace officer and trooper who successfully completes a training 6867
program, the commission shall approve reimbursing the agency for 6868
the cost of that program. The actual amount of reimbursement for 6869
each authorized training program shall be determined by rules 6870
adopted by the Attorney General under division (C) (2) of this 6871
section. 6872

(6) (a) Each law enforcement agency that receives funds 6873
under division (C) (4) this section shall keep those funds 6874
separate from any other funds of the agency and shall use those 6875
funds only for paying the cost of continuing professional 6876
training programs. 6877

(b) If a law enforcement agency that receives funds for 6878
reimbursement under division (C) (4) of this section for peace 6879
officers or troopers who successfully complete a training 6880
program does not use all of the funds received for such a 6881
reimbursement, the agency shall retain all of the funds not used 6882
and shall use the retained funds only for paying the cost of 6883
future continuing professional training programs for its peace 6884
officers and troopers. 6885

(c) A law enforcement agency that receives funds for 6886
reimbursement under division (C) (4) of this section shall be 6887
responsible for paying the cost of training of its peace 6888
officers or troopers required under section 109.803 of the 6889
Revised Code that exceeds the amount of the payment received 6890
under the pilot program under division (C) of this section. 6891

(D) (1) There is created the Law Enforcement Training 6892
Funding Study Commission. The Commission shall consist of the 6893
following twelve members: 6894

- (a) The Attorney General or a designee of the Attorney General who has experience in law enforcement funding issues; 6895
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- (b) The Director of Public Safety or a designee of the Director who has experience in law enforcement funding issues; 6897
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- (c) Three members of the House of Representatives appointed by the Speaker of the House of Representatives, with not more than two of the persons appointed as members being members of the same political party; 6899
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- (d) Three members of the Senate appointed by the President of the Senate, with not more than two of the persons appointed as members being members of the same political party; 6903
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- (e) Four members of the public appointed by the Governor, with each such member having a law enforcement background. 6906
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- (2) The Speaker of the House of Representatives, the President of the Senate, and the Governor shall make their initial appointments to the Law Enforcement Training Funding Study Commission not later than ~~thirty days after the effective date of this Section~~ October 30, 2021. 6908
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- (3) If an appointed member of the Law Enforcement Training Funding Study Commission ceases to hold the position that led to the member's appointment, the member is disqualified and a vacancy occurs. Vacancies of appointed members shall be filled in the same manner as original appointments. 6913
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- (4) The Law Enforcement Training Funding Study Commission shall hold its first meeting not later than ~~thirty days after the effective date of this Section~~ October 30, 2021, regardless of whether all members have been appointed under division ~~(B) (2)~~ (D) (2) of this section. At its first meeting, the Commission shall select a chairperson, and also shall select a vice- 6918
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chairperson to perform in the absence of the chairperson. The 6924
Commission shall adopt procedures to govern its proceedings and 6925
shall meet as necessary at the call of the chairperson or on the 6926
written request of a majority of its members. A majority of 6927
serving Commission members constitutes a quorum. Formal 6928
recommendations shall be made by a vote of a majority of the 6929
quorum present. Commission meetings shall be open to the public 6930
under section 121.22 of the Revised Code. The Commission shall 6931
keep minutes of its meetings as public records under section 6932
149.43 of the Revised Code. 6933

(5) Members of the Law Enforcement Training Funding Study 6934
Commission shall serve without compensation. 6935

(6) The Law Enforcement Training Funding Study Commission 6936
shall study possible long-term methods for the provision of 6937
state funding to law enforcement agencies for the training of 6938
their peace officers and troopers that is required under section 6939
109.803 of the Revised Code. The Commission shall evaluate the 6940
plans for the pilot program established under division (A) of 6941
this section, with respect to funding to be provided under 6942
division (B) of this section, as part of the study. Upon 6943
completion of the study, the Commission shall prepare a report 6944
of its findings and recommendations for a long-term method for 6945
the provision of state funding to law enforcement agencies for 6946
the training of their peace officers and troopers that is 6947
required under section 109.803 of the Revised Code. Not later 6948
than March 1, 2022, the Commission shall submit the report to 6949
the Governor, the General Assembly, the Attorney General, and 6950
the Legislative Service Commission. Upon submission of the 6951
report, the Commission shall cease to exist. 6952

Section 605.02. That existing Sections 265.220, 307.270, 6953

343.30, and 701.70 of H.B. 110 of the 134th General Assembly are 6954
hereby repealed. 6955

Section 607.10. That Section 715.20 of H.B. 110 of the 6956
134th General Assembly is hereby repealed. 6957

Section 610.01. That Sections 219.10 (as amended by H.B. 6958
687 of the 134th General Assembly), 221.10 (as amended by H.B. 6959
687 of the 134th General Assembly), 221.13 (as amended by H.B. 6960
687 of the 134th General Assembly), and 237.13 (as amended by 6961
H.B. 687 of the 134th General Assembly) of H.B. 597 of the 134th 6962
General Assembly be amended to read as follows: 6963

Sec. 219.10. 6964

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A DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES

B Reappropriations

C Mental Health Facilities Improvement Fund (Fund 7033)

D C59004 Community Assistance Projects \$725,000

E C59034 Statewide Developmental Centers \$1,100,000

F C59070 Hardin County YMCA Renovations \$164,000

G C59071 NECCO Gym Project \$8,500

H C59072 Windfall Developmental \$250,000
Disabilities Project

I	C59073	Hattie Larlham	\$400,000
J	C59075	Easterseals Production and Fulfillment Center	\$200,000
K	TOTAL Department of Developmental Disabilities		\$2,847,500
			<u>\$2,447,500</u>
L	TOTAL ALL FUNDS		\$2,847,500
			<u>\$2,447,500</u>

COMMUNITY ASSISTANCE PROJECTS 6966

The foregoing appropriation item C59004, Community Assistance Projects, may be used to provide community assistance funds for the development, purchase, construction, or renovation of facilities for day programs or residential programs that provide services to persons eligible for services from the Department of Developmental Disabilities or county boards of developmental disabilities and shall be distributed by the Department of Developmental Disabilities subject to Controlling Board approval. 6967
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Sec. 221.10. 6976

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A MHA DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

B Reappropriations

C	Mental Health Facilities Improvement Fund (Fund 7033)	
D	C58001 Community Assistance Projects	\$24,235,310
		<u>\$23,885,310</u>
E	C58007 Infrastructure Renovations	\$15,000,000
F	C58033 Salvation Army of Greater Cleveland Harbor Light Complex	\$350,000
G	C58044 Alvis Women Community Reentry Project	\$50,000
H	C58046 Summer Entrepreneurial Experience and Knowledge	\$100,000
I	C58048 Community Resiliency Projects	\$10,549,443
J	TOTAL Mental Health Facilities Improvement Fund	\$50,284,753
		<u>\$49,934,753</u>
K	TOTAL ALL FUNDS	\$50,284,753
		<u>\$49,934,753</u>

INFRASTRUCTURE RENOVATIONS 6978

The amount reappropriated for the foregoing appropriation 6979
item C58007, Infrastructure Renovations, is the unencumbered 6980
balance as of June 30, 2022, in appropriation item C58007, 6981
Infrastructure Renovations, plus \$621,441. Prior to the 6982
expenditure of this appropriation, the Department of Mental 6983
Health and Addiction Services shall certify to the Director of 6984
Budget and Management canceled encumbrances in the amount of at 6985

least \$621,441. 6986

Sec. 221.13. COMMUNITY ASSISTANCE PROJECTS 6987

The foregoing appropriation item C58001, Community Assistance Projects, may be used for facilities constructed or to be constructed pursuant to Chapter 340., 5119., 5123., or 5126. of the Revised Code or the authority granted by section 154.20 and other applicable sections of the Revised Code and the rules issued pursuant to those chapters and that section and shall be distributed by the Department of Mental Health and Addiction Services subject to Controlling Board approval. 6988
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~~The amount reappropriated for the foregoing appropriation item C58001, Community Assistance Projects, is the unencumbered balance as of June 30, 2022, in appropriation item C58001, Community Assistance Projects, plus the unencumbered balance as of June 30, 2022, in appropriation item C59064, Heinzerling Community Facilities.~~ 6996
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A portion of the foregoing appropriation item C58001, Community Assistance Projects, shall be used to support the projects listed in this section unless the amounts are distributed prior to June 30, 2022. 7002
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A	Project List	
B	Comprehensive Addiction Center	\$4,500,000
C	Bellefaire JCB Pediatric Psychiatric	\$1,000,000

	Hospital and Autism School	
D	Comprehensive Outpatient Program Expansion	\$1,000,000
E	Restoration of Mental Health Diversion Center	\$1,000,000
F	Sheakley Day Treatment	\$934,000
G	Greater Dayton Regional Hospital Association	\$800,000
H	Cleveland Clinic Akron General	\$700,000
I	Cuyahoga County Mental Health Jail Diversion Facility	\$700,000
J	One Step Closer to Home	\$650,000
K	Cornerstone of Hope - Independence	\$500,000
L	ADAS Board of Lorain County	\$500,000
M	Tri-County Board of Recovery and Mental Health Services	\$450,000
N	Perry County Behavioral Health Veterans Drug Treatment Program	\$400,000
O	Providence House	\$400,000
P	Neighborhood Development Services	\$400,000
Q	Heinzerling Community Facilities	\$350,000
R	Alvis House	\$300,000

S	Western Reserve Area on Aging-St. Vincent	\$300,000
T	Cedar Hills Transformation Camp	\$250,000
U	Adams County	\$250,000
V	(Cocoon) Comprehensive Advocacy Center for Survivors of Domestic and Sexual Violence	\$200,000
W	CommQuests Recovery Campus Improvements	\$200,000
X	West Dayton Community Services Center	\$200,000
Y	Meadow Center	\$150,000
Z	Y-Haven	\$150,000
AA	City of Franklin	\$150,000
AB	Maryhaven	\$125,000
AC	Forbes House Domestic Violence Project	\$120,000
AD	Seven Hills Trauma Recovery Center	\$105,000
AE	Save a Warrior Project	\$100,000
AF	Cadence Care Network Family and Community Resource Center	\$50,000
AG	Grace House Akron, Inc.	\$50,000
AH	Lighthouse Behavioral Health Solutions Outpatient Behavioral Health Clinic	\$50,000

AI	The Glenway Outpatient Treatment Center - Phase 3 (Final)	\$50,000
AJ	The Commons at Springfield	\$25,000
AK	Women's Recovery Center	\$13,000

Sec. 237.13. The amount reappropriated from the foregoing 7007
appropriation item C230FM, Cultural and Sports Facilities 7008
Projects, shall be equal to the amount of all projects specified 7009
in this section, unless the amounts are released prior to June 7010
30, 2022, and shall include the unencumbered balance as of June 7011
30, 2022, in appropriation items C23072, Madisonville Arts 7012
Center of Hamilton County, and C230BB, Golf Manor Volunteer Park 7013
Outdoor Amphitheater. 7014

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A	Project List	
B	Rock and Roll Hall of Fame and Great Lakes Science Center	\$1,750,000
C	Cincinnati Art Museum Master Plan	\$1,400,000
D	Lima Rotary Stage and Park	\$1,250,000
E	Ohio Theatre Restoration	\$1,250,000
F	Cincinnati Ballet Center	\$1,000,000
G	Directing the Future: A New Stage for	\$1,000,000

	Cincinnati's National Theatre	
H	Jeep Museum	\$1,000,000
I	Dayton Air Credit Union Ballpark	\$1,000,000
J	Northwood Community Recreation Center	\$1,000,000
K	Cleveland Museum of Art	\$750,000
L	Stan Hywet Hall & Gardens	\$750,000
M	World Heritage and Visitor Center	\$730,000
N	Ohio Aviation Hall of Fame	\$550,000
O	Carnes Center	\$500,000
P	BAYarts	\$500,000
Q	Columbus Historical Society Engine House #6	\$500,000
R	Flats East Bank Performance Stage	\$500,000
S	Louis Sullivan Building of Newark Restoration and Adaptive Reuse	\$489,000
T	Lake Erie Nature and Science Center Wildlife Gardens Education Project	\$450,000
U	Ariel Opera House Energy Efficiency and Safety Updates	\$400,000
V	Dublin North Market Bridge Park	\$350,000

W	Stambaugh Auditorium	\$350,000
X	Washington Court House Auditorium	\$325,000
Y	Midland Theatre Project	\$324,000
Z	Harveysburg First Free Black School	\$322,500
AA	Champaign County Historical Museum	\$300,000
AB	Barn at Stratford	\$300,000
AC	National Museum of the Great Lakes Expansion	\$300,000
AD	Willoughby Amphitheater	\$300,000
AE	Butler Institute of American Art	\$275,000
AF	Springfield Museum of Art Renovation	\$250,000
AG	O.P. Chaney/Historic Mill	\$250,000
AH	Norwalk Theater Rehabilitation Project	\$250,000
AI	Tam O'Shanter Renovations	\$250,000
AJ	Yoctangee Park Historic Armory	\$250,000
AK	Columbus Museum of Art Accessibility Upgrades	\$225,000
AL	Evendale Cultural Arts Center ADA Compliance	\$225,000
AM	Veterans Memorial Civic and Convention Center	\$200,000
AN	Ohio Valley Museum of Discovery	\$200,000

AO	Grove City Outdoor Cultural Arts Performance Facility	\$200,000
AP	Grove City Historical Society Renovations	\$200,000
AQ	South Point Community Center Update and Modernize	\$200,000
AR	Protect Our Bones: Critical Infrastructure Improvements at the Boonshoft Museum	\$200,000
AS	Warren Community Amphitheater Renovations	\$200,000
AT	Peoples Bank Theatre	\$200,000
AU	Buckeye Agricultural Museum and Education Center	\$194,538
AV	Historic Township Hall Relocation and Restoration	\$180,000
AW	Wright Factory Unit - Dayton	\$175,000
AX	African American Museum	\$150,000
AY	FRONT: MidTown Arts Campus <u>Transformer Station</u>	\$150,000
AZ	Karamu House Phase III	\$150,000
BA	Defiance Community Auditorium Renovation Project	\$150,000
BB	Invisible Gallery	\$150,000
BC	Madison Place Fire House Renovation	\$150,000
BD	Greenfield Historical Society Restoration Project	\$150,000
BE	Clearview Museum	\$150,000

BF	Akron Art Museum	\$150,000
BG	Baldwin-Buss House Restoration	\$150,000
BH	Unionville Tavern Improvements	\$125,000
BI	Williams County Fountain City Amphitheater	\$125,000
BJ	Lorain County Historical Society	\$112,000
BK	Wooster Amphitheater	\$100,000
BL	Maltz Museum of Jewish Heritage Reimagine Project	\$100,000
BM	North Royalton Memorial Park Amphitheater	\$100,000
BN	The Music Settlement Center for Innovation, Education, and Technology	\$100,000
BO	Minerva Park Amphitheater Restoration	\$100,000
BP	Rickenbacker Woods Museum	\$100,000
BQ	Covedale Center - Phase 6 Renovations	\$100,000
BR	Steubenville Grand Theater	\$100,000
BS	West Liberty Town Hall Opera House Community Center Restoration and Renovation	\$100,000
BT	Polish Cultural Center	\$100,000
BU	Battle of Buffington Island Civil War Battlefield Museum	\$100,000

BV	Meigs County Pioneer and Historical Society Renovations	\$100,000
BW	Twin City Opera House	\$100,000
BX	Gant Stadium Renovation	\$100,000
BY	Octagon House	\$100,000
BZ	Circleville Historic City Hall Improvements	\$100,000
CA	Pickaway County Historical Society Museum	\$100,000
CB	Camden Opera House Second Floor Renovation	\$100,000
CC	Southern Ohio War Memorial	\$100,000
CD	Levi Scofield Mansion Transformation	\$100,000
CE	El Mercado at La Villa Hispana Cultural Revitalization	\$100,000
CF	Mayfield Civic Center Theater Renovation	\$100,000
CG	Leesburg Historic B & O Rail Depot	\$100,000
CH	The Funk Music Hall of Fame and Exhibition Center	\$100,000
CI	Jacob Miller's Tavern Renovation	\$100,000
CJ	Stone Academy	\$92,000
CK	Morgan History Center Renovation	\$85,000
CL	Muirfield Dr. Kinetic Arts Project	\$75,000

CM	Convoy Opera House Facility Renovation	\$75,000
CN	Hune Covered Bridge Relocation	\$75,000
CO	Hardin County Historical Society Improvements	\$64,000
CP	Nancy and David Wolf Holocaust and Humanity Center	\$56,000
CQ	Soap Box Derby Track Resurfacing and Sidewalks Additions and Upgrades	\$50,000
CR	Gaslight Theater	\$50,000
CS	Mausoleum Repair	\$50,000
CT	John S. Knight Convention Center	\$50,000
CU	G.A.R. Hall ADA Accessibility	\$50,000
CV	Wright Patterson Air Force Base Holocaust Museum	\$50,000
CW	Clark Gable Facility Improvements	\$50,000
CX	Darke County Art Trail Initiative	\$40,000
CY	Wendel Concert Stage	\$35,000
CZ	History of Weston, Historical Offerings	\$30,000
DA	Evendale Cultural Arts Center	\$25,000
DB	Heritage Farm Museum Improvement	\$25,000
DC	Piketon Liberty Memorial	\$25,000

DD	1872 German Furniture Factory Project	\$25,000
DE	Medina County and Brunswick Historical Societies Project/Wadsworth Historical Society	\$25,000
DF	Bucyrus Bicentennial Arch Project	\$25,000
DG	Fairborn Military Veterans Memorial	\$25,000
DH	Stained Glass Window Restoration for the Wapakoneta Museum	\$22,000
DI	Shelby House Museum	\$20,000
DJ	Jackson Center Museum Building Improvements	\$13,500
DK	Leipsic Recreation Center Improvements	\$7,500
DL	Jeromesville Totem Pole	\$3,000

Section 610.02. That existing Sections 219.10 (as amended 7016
by H.B. 687 of the 134th General Assembly), 221.10 (as amended 7017
by H.B. 687 of the 134th General Assembly), 221.13 (as amended 7018
by H.B. 687 of the 134th General Assembly), and 237.13 (as 7019
amended by H.B. 687 of the 134th General Assembly) of H.B. 597 7020
of the 134th General Assembly are hereby repealed. 7021

Section 615.01. That Sections 207.15, 221.10, 221.13, 7022
223.10, 223.15, 237.10, and 237.13 of H.B. 687 of the 134th 7023
General Assembly be amended to read as follows: 7024

Sec. 207.15. 7025

7026

	1	2	3
A		KSU KENT STATE UNIVERSITY	
B		Higher Education Improvement Fund (Fund 7034)	
C	C270H2	Founders Hall HVAC Upgrades - Tuscarawas	\$500,000
D	C270I7	Library Asbestos Abatement and Restroom Installation - Ashtabula	\$550,000
E	C270K3	Critical Deferred Maintenance-Kent	\$1,550,000
F	C270K4	Campus ADA Improvements-Kent	\$1,000,000
G	C270K5	Fine Arts Building Roof Replacement Phase II and Library Ceiling Replacement	\$900,000
H	C270K7	Nursing Skills Laboratory Renovation- Geauga	\$450,000
I	C270L8	Blossom Music Center	\$1,500,000
J	C270M6	Front Campus Chiller Plant and Loop- Kent	\$7,500,000
K	C270M7	CAED Beall Hall 2nd Floor Rehabilitation-Kent	\$6,500,000
L	C270M8	Cunningham Hall Deferred Maintenance Phase II-Kent	\$3,075,000
M	C270M9	Library-Theater Building Roof	\$500,000

		Replacement-Trumbull	
N	C270N1	Main Classroom Rooftop Unit Replacement Phase I-Salem	\$475,000
O	C270N2	Academic Buildings IT Network Access Enhancement-Kent	\$3,588,475
P	C270N3	Ashland County Airport Authority Terminal and Flight School Project	\$150,000
Q	C270N4	East Liverpool Athletic Center	\$200,000
R	C270N5	Severance Music Center	\$500,000
S	C270N6	Kulas Hall Renovation - Cleveland Institute of Music	\$500,000
T	C270N7	SAM Center Upgrades	\$50,000
U	C270N8	Junior Achievement North Central Ohio Building	\$250,000
V	C270N9	STEM Center of Excellence	\$250,000
W	C270O2	Shaw Jewish Community Center	\$75,000
X	C270O3	Purinton Hall Renovations - East Liverpool	\$300,000
Y	TOTAL Higher Education Improvement Fund		\$30,363,475
			<u>\$30,313,475</u>
Z	TOTAL ALL FUNDS		\$30,363,475

\$30,313,475

Sec. 221.10.

7027

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A MHA DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

B Mental Health Facilities Improvement Fund (Fund 7033)

C C58001 Community Assistance Projects \$50,380,139

\$50,280,139

D C58007 Infrastructure Renovations \$36,739,422

E C58048 Community Resiliency Projects \$5,000,000

F TOTAL Mental Health Facilities Improvement Fund ~~\$92,119,561~~

\$92,019,561

G TOTAL ALL FUNDS ~~\$92,119,561~~

\$92,019,561

Sec. 221.13. COMMUNITY ASSISTANCE PROJECTS

7029

The foregoing appropriation item C58001, Community 7030

Assistance Projects, may be used for facilities constructed or 7031

to be constructed pursuant to Chapter 340., 5119., 5123., or 7032

5126. of the Revised Code or the authority granted by section 7033

154.20 and other applicable sections of the Revised Code and the 7034

rules issued pursuant to those chapters and that section and 7035

shall be distributed by the Department of Mental Health and 7036
Addiction Services subject to Controlling Board approval. 7037

Of the foregoing appropriation item C58001, Community 7038
Assistance Projects, ~~\$17,515,000~~ \$17,415,000 shall be used to 7039
support the projects listed in this section. 7040

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A	Project List	
B	Gracehaven-Multipurpose Building	\$2,500,000
C	Blue Line Regional Training Center	\$1,625,000
D	Bellefaire Jewish Children's Bureau Child and Youth Service Center	\$1,000,000
E	Boundless Health Campus Expansion	\$900,000
F	Lorain Nord Center	\$900,000
G	Cleveland Christian Home	\$700,000
H	Providence House East Side Campus Community Hub	\$700,000
I	Lorain County Mental Health and Primary Care Expansion	\$500,000
J	Neighborhood Alliance	\$500,000
K	Unison Health Poe Road Crisis Residential Center	\$500,000

L	Van Buren Center Restoration	\$500,000
M	Medina County Emergency Housing Shelter	\$450,000
N	Ashtabula City - Samaritan House	\$400,000
O	Refuge Residential Capacity Expansion	\$400,000
P	May Dugan Building Renovation and Expansion	\$350,000
Q	Unison Health Dorr Street Behavioral Health Residential Facility	\$350,000
R	Harriet's Hope	\$300,000
S	House of Hope	\$300,000
T	Tiffin Community Kitchen	\$300,000
U	Center for Addiction Treatment Recovery House	\$250,000
V	CHC Addiction Services	\$250,000
W	Rosemary's Babies Holloway House	\$250,000
X	Sisters of Charity Health System and Sisters of Charity Foundation of Cleveland	\$250,000
Y	TCH Outpatient Community Behavioral Health Building	\$250,000
Z	Toledo YWCA Domestic Violence Shelter	\$250,000
AA	YWCA Greater Cincinnati Domestic Violence Shelter East	\$250,000

AB	Ashland Family YMCA	\$200,000
AC	Lutheran Community Services Building	\$200,000
AD	Star House	\$200,000
AE	Toledo Life Revitalization Center	\$200,000
AF	Walt Collins Veterans Housing Facility	\$200,000
AG	Washington County Boys and Girls Club	\$175,000
AH	Pathways for Women	\$150,000
AI	Square One Meigs	\$150,000
AJ	Uptown Smiles Clinical Renovations	\$125,000
AK	Anchorage Rehabilitation Phase III	\$100,000
AL	Comprehensive Health Care at the Centers, Gordon Square	\$100,000
AM	Turning Over a New Leaf in Rural Appalachian Ohio	\$100,000
AN	Women's Resource Center of Hancock County	\$100,000
AO	Y Haven	\$100,000
AP	YWCA Family Center - Columbus	\$100,000
AQ	YMCA Competitive Sports Training Facility	\$75,000
AR	YWCA Hamilton	\$75,000
AS	Cornerstone of Hope	\$50,000

AT	Harbor Crisis Stabilization Unit	\$50,000
AU	Lifecare Alliance	\$50,000
AV	Homesafe - Ashtabula	\$40,000
AW	Muskingum Behavioral Health	\$25,000
AX	Westfield Center Improvements	\$25,000

Sec. 223.10.

7042

7043

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A	DNR DEPARTMENT OF NATURAL RESOURCES	
B	State Fiscal Recovery Fund (Fund 5CV3)	
C	C725V4 Parks - ARPA	\$137,000,000
D	C725V5 Trails - ARPA	\$15,000,000
E	C725V6 Wastewater/Water Systems - ARPA	\$50,000,000
F	TOTAL State Fiscal Recovery Fund	\$202,000,000
G	Wildlife Fund (Fund 7015)	
H	C725K9 Wildlife Area Building Development/Renovation	\$14,220,000
I	TOTAL Wildlife Fund	\$14,220,000

J	Administrative Building Fund (Fund 7026)		
K	C725D5	Fountain Square Building and Telephone Improvement	\$1,500,000
L	C725N7	District Office Renovations	\$1,100,000
M	TOTAL Administrative Building Fund		\$2,600,000
N	Ohio Parks and Natural Resources Fund (Fund 7031)		
O	C72549	Facilities Development	\$3,255,659
P	C725E1	Local Parks Projects Statewide	\$3,575,971
Q	C725E5	Project Planning	\$468,226
R	C725J0	Natural Areas/Preserves Maintenance/Facilities	\$6,300,000
S	C725K0	State Park Renovations/Upgrading	\$1,150,000
T	C725N8	Forestry Equipment	\$3,130,000
U	TOTAL Ohio Parks and Natural Resources Fund		\$17,879,856
V	Parks and Recreation Improvement Fund (Fund 7035)		
W	C725A0	State Parks, Campgrounds, Lodges, Cabins	\$125,807,774
X	C725C4	Muskingum River Lock and Dam	\$27,500,000
Y	C725E2	Local Parks, Recreation, and Conservation Projects	\$73,062,300 <u>\$76,062,300</u>

Z	C725E6	Project Planning	\$12,476,398
AA	C725M5	Lake Erie Islands State Park/Middle Bass Island State Park	\$11,000,000
AB	C725R3	State Parks Renovations/Upgrades	\$19,950,000
AC	C725R4	Dam Rehabilitation - Parks	\$29,275,200
AD	C725U7	Eagle Creek Watershed Flood Mitigation	\$30,000,000
AE	TOTAL Parks and Recreation Improvement Fund		\$329,071,672
			<u>\$332,071,672</u>
AF	Clean Ohio Trail Fund (Fund 7061)		
AG	C72514	Clean Ohio Trail Fund	\$12,500,000
AH	TOTAL Clean Ohio Trail Fund		\$12,500,000
AI	Waterways Safety Fund (Fund 7086)		
AJ	C725A7	Cooperative Funding for Boating Facilities	\$4,500,000
AK	C725N9	Operations Facilities Development	\$5,000,000
AL	TOTAL Waterways Safety Fund		\$9,500,000
AM	TOTAL ALL FUNDS		\$587,771,528
			<u>\$590,771,528</u>

All reimbursements received from the federal government 7045
for any expenditures made pursuant to this section shall be 7046
deposited in the state treasury to the credit of the fund from 7047
which the expenditure originated. 7048

Sec. 223.15. The foregoing appropriation item C725E2, 7049
Local Parks, Recreation, and Conservation Projects, shall be 7050
used to support the projects listed in this section. An amount 7051
equal to two per cent of the projects listed may be used by the 7052
Department of Natural Resources for the administration of local 7053
projects. 7054

7055

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A	Project List	
B	<u>Mentor Erosion Mitigation</u>	<u>\$3,000,000</u>
C	Heritage Trail Extension	\$2,500,000
D	Lima Community Pool	\$2,400,000
E	Cleveland Zoo Primate Rainforest	\$1,700,000
F	Columbus Zoo	\$1,400,000
G	Cincinnati Findlay Community and Recreation Center	\$1,200,000
H	Gateway to Freedom Park	\$1,200,000
I	Akron Area YMCA Camp Y-Noah	\$1,000,000

Capital Improvement		
J	Euclid Waterfront Improvement Plan - Phase III	\$1,000,000
K	Franklin Park Conservatory Renovation of the Wolfe Palm House and the Davis Showhouse	\$1,000,000
L	Cincinnati Zoo and Botanical Garden Pedestrian Bridge	\$900,000
M	The Wilds RV Park and Campground	\$900,000
N	Irishtown Bend and Canal Basin Park	\$850,000
O	Cincinnati Playhouse in the Park	\$800,000
P	Lima Rotary Community Stage and Park	\$800,000
Q	Copley Ridgewood Trail	\$750,000
R	Delhi Towne Square	\$750,000
S	Environmental Education Pavilion at Forest Lawn Stormwater Park	\$750,000
T	Glen Helen Nature Preserve Accessibility Improvements	\$750,000
U	Lebanon Scenic Railway Bridge	\$750,000
V	Strongsville Town Center	\$725,000

	Enhancement and Walkability Initiative	
W	Salem City Village Green Park	\$700,000
X	Green Township Veterans Park Enhancement	\$650,000
Y	Ohio Bird Sanctuary	\$600,000
Z	Stark Parks Magnolia Flouring Mill Public Access	\$571,000
AA	ArtsinStark Park	\$500,000
AB	Indian Lake Maintenance	\$500,000
AC	North Ridgeville Mills Creek	\$500,000
AD	Sidney Feeder Canal Bike Trail	\$500,000
AE	Sylvania YMCA	\$500,000
AF	The Foundry	\$500,000
AG	Vienna Air Heritage Park	\$500,000
AH	Litzenberg Memorial Woods Improvement Project	\$498,000
AI	Geneva Township Park - Old Lake Road Shoreline Restoration	\$450,000
AJ	Hamilton-Clover Groff Trail Project	\$450,000

AK	Lake Erie Shoreline Erosion Mitigation	\$450,000
AL	McCord Park Renovations	\$450,000
AM	Mentor Marsh Observation Tower	\$450,000
AN	Replacement of Discovery Frontier Playground at Fryer Park	\$450,000
AO	Mosquito Creek Lake Park Improvements	\$404,000
AP	Avon Traxler Preserve	\$400,000
AQ	Chagrin Meadows Preserve	\$400,000
AR	Fort Colerain Phase III	\$400,000
AS	Kelleys Island East Lakeshore Shoreline Protection	\$400,000
AT	Lake Metroparks Lake Erie Shoreline Trail and Revetment Wall	\$400,000
AU	Mason Makino Park	\$400,000
AV	McDonald Commons Renovation and Construction	\$400,000
AW	Ripley Freedom Landing Riverfront Development	\$400,000

AX	Solon to Chagrin Falls Multi-Purpose Trail	\$400,000
AY	Hamilton Beltline Recreational Trail	\$380,000
AZ	Holbrook Hollows Park Expansion	\$375,000
BA	Alum Creek Pedestrian/Bike Bridge - Bexley	\$350,000
BB	Boeckling Building Pier	\$350,000
BC	CROWN Wasson Way Crossing Improvements	\$350,000
BD	Fairport Harbor Marina Boat Launch	\$350,000
BE	Hiking Trails and Playground Refurbishment - Cincinnati	\$350,000
BF	Elyria Intergenerational Community Center	\$350,000
BG	Medina Recreation Center	\$350,000
BH	Project Playground Galena	\$350,000
BI	Wauseon Community Social and Recreational Center	\$350,000
BJ	Twinsburg Glen Chamberlin Park	\$338,000
BK	Botkins Community Park	\$300,000

BL	Camp Joy	\$300,000
BM	Canal Fulton Community Park	\$300,000
BN	Canton Township Faircrest Park	\$300,000
BO	Chagrin River Trail	\$300,000
BP	Creston Community Park Renovations	\$300,000
BQ	Edge Adventure Park	\$300,000
BR	Harbin Park ADA-Accessible Play Area and Splash Pad	\$300,000
BS	Kalida St. Michael Holy Name Ballpark	\$300,000
BT	Legacy Park Shelter House and Restrooms Project - Cridersville	\$300,000
BU	Liberty Landing Phase II	\$300,000
BV	Lincoln Heights Memorial Athletic Field Renovations	\$300,000
BW	Marysville Heritage Park	\$300,000
BX	Massillon Park Splash Pad	\$300,000
BY	Mayerson JCC Expansion	\$300,000
BZ	Meredith Park	\$300,000

CA	Niles Bike Path Bridge Improvements	\$300,000
CB	North Canton Dogwood Pool House	\$300,000
CC	Olmsted Township Nature Trail and Bark Park	\$300,000
CD	Plain Township Diamond Park Historic Barn	\$300,000
CE	Town Square Redevelopment - Blue Ash	\$300,000
CF	Willadale Trail- Boettler/Southgate Connector	\$275,000
CG	Fallen Timbers Family Recreation Center Pool Replacement	\$275,000
CH	Grailville Park Improvements	\$260,000
CI	Streetsboro Industrial Park	\$250,000
CJ	Brunswick Recreation Center	\$250,000
CK	Chudzinski Johansen Conservancy Park	\$250,000
CL	Clearcreek Park Trail	\$250,000
CM	Coke Oven Community Civic Center Park	\$250,000
CN	Covington - Schoolhouse Park	\$250,000

CO	Girl Scouts of Western Ohio - EMPOWER HER	\$250,000
CP	Girl Scouts of Western Ohio Camp Libbey	\$250,000
CQ	Johnstown Splash Pad	\$250,000
CR	Lockington Trail Bridge	\$250,000
CS	Lodi Community Park	\$250,000
CT	Louisville Metzger Park	\$250,000
CU	Noble County Heritage Park	\$250,000
CV	Rotary Lodge at River Cliff Park Renovation	\$250,000
CW	Schoonover Observatory Improvements	\$250,000
CX	SPIRE Institute and Academy	\$250,000
CY	Timken Gatehouse Renovation	\$250,000
CZ	West Carrollton Whitewater Park	\$250,000
DA	Wooster Barnes Preserve	\$250,000
DB	Valleyview Park	\$240,000
DC	Cave Lake Dam	\$225,000
DD	Moonville Rail Trail	\$225,000

DE	Dan Beard Scout Camp Flooding and Erosion Mitigation	\$223,000
DF	Chillicothe Paint Creek Recreational Trail	\$215,000
DG	Ashtabula Township Park - Restoration	\$200,000
DH	Augusta Community Park	\$200,000
DI	Bryan Lincoln Park	\$200,000
DJ	Camp Oty'Okwa Capital Improvements	\$200,000
DK	Center Gateway Improvement Project - Rocky River	\$200,000
DL	Centerville Benham's Grove	\$200,000
DM	City of Monroe Lookout Point	\$200,000
DN	Coshocton County Connector	\$200,000
DO	Franklin Furnace Park	\$200,000
DP	Great Miami River Trail - Middletown to Monroe Segment Construction Project	\$200,000
DQ	Memorial Park All-Purpose Trail - North Royalton	\$200,000
DR	Mount Aloysius Community Rec	\$200,000

	Center	
DS	Portage Bike and Hike Trail - Mill Race Segment	\$200,000
DT	Seven Gables Park Playground Replacement	\$200,000
DU	Sylvania Plummer Pool	\$200,000
DV	Tuscarawas Memorial Park Improvements	\$200,000
DW	Wellness at the Generational Recreation Complex- Construction	\$200,000
DX	West Farmington Park Improvements	\$200,000
DY	Shawnee West Buckeye Trail	\$195,000
DZ	Jim Terrell Park Canoe/Kayak Launch	\$190,000
EA	Racine Star Mill Park	\$190,000
EB	Darke County Art Trail	\$180,000
EC	Bryn Du Barn	\$175,000
ED	Erie MetroParks Nature Center	\$175,000
EE	Norton Bicentennial Park	\$175,000
EF	Ohio and Erie Canal Restoration	\$175,000

EG	Concord Township Park Renovation	\$172,000
EH	Ward Park Swimming Pool Filtration System Replacement	\$171,000
EI	Ashland County Corner Park	\$150,000
EJ	Brown County Board of Developmental Disabilities Resource and Community Center	\$150,000
EK	Buckeye Lake Boat Ramps and Pier Enabling Project	\$150,000
EL	Deer Park Chamberlin Park	\$150,000
EM	Elyria Holly Hall	\$150,000
EN	Forest Park Central Park Improvements	\$150,000
EO	Fostoria Splash Pad	\$150,000
EP	Geneva Township Park Commission - Handicap Accessible Ramp	\$150,000
EQ	Gibsonburg Logyard Park	\$150,000
ER	Greenville Downtown Park	\$150,000
ES	Hammertown Lake Improvements Project	\$150,000
ET	Kingsbury Riverfront Park Rehabilitation Project	\$150,000

EU	Lock Nine Riverfront Park	\$150,000
EV	MAGNET's Manufacturing Innovation, Technology and Job Center Park	\$150,000
EW	Mansfield B&O Trail Connector	\$150,000
EX	Mansfield Central Park	\$150,000
EY	Middle Point Recreation Center	\$150,000
EZ	Mount Gilead Park Site Preparations	\$150,000
FA	Navarre Park	\$150,000
FB	North Kingsville Village - Community Park	\$150,000
FC	North Olmsted Community Park Improvements	\$150,000
FD	Olmsted Falls East River Road Park	\$150,000
FE	Portsmouth Market Square Park	\$150,000
FF	Powhatan Point Municipal Park District	\$150,000
FG	Restore Rockefeller	\$150,000
FH	Richwood Splash Pad	\$150,000

FI	Rio Grande Reservoir and Park Improvements	\$150,000
FJ	Seven Hills Calvin Park Drainage Improvements	\$150,000
FK	Unger Park Multi-Use Loop Trail	\$150,000
FL	Urban Meadow Park Connector Trail	\$150,000
FM	Wellsville Marina Dredging	\$150,000
FN	Austintown Township Park Bandshell Replacement	\$140,000
FO	West Union SR 41 Shared Use Path Phase II	\$140,000
FP	Bellefontaine Blue Jacket Park	\$135,000
FQ	Alliance Memorial Park	\$125,000 <u>\$250,000</u>
FR	Alliance Thompson Snodgrass Park	\$125,000
FS	Antwerp Holly Kobee Memorial Splash Pad	\$125,000
FT	Carey Splash Pad	\$125,000
FU	Flight Line: East Dayton Rails- to-Trails	\$125,000

FV	Friedt Park	\$125,000
FW	Kirtland Community Center	\$125,000
FX	Miami Valley Research Park Bike Path and Pedestrian Bridge	\$125,000
FY	Old Murray City School Building Demolition	\$125,000
FZ	Vermillion Main Street Beach and Harbor Access Project	\$125,000
GA	Clepper Park Pickleball Courts	\$122,000
GB	Village of Fort Loramie Community Park Improvements	\$122,000
GC	North Fork Preserve of Bath	\$120,000
GD	Rootstown Community Park and Gracie Field Paving	\$120,000
GE	New Knoxville Splash Pad and Shelter House	\$110,000
GF	Sally Buffalo Park Stage	\$110,000
GG	South Lebanon Veteran's Park Playground	\$110,000
GH	Middleburg Heights Memorial Hall Courtyard	\$104,000
GI	Akron Zoo Additional Animal	\$100,000

	Housing Phase II	
GJ	Bay Village Green Improvements	\$100,000
GK	Brecksville Field House	\$100,000
GL	Cobblestone Park - Medina	\$100,000
GM	Fairfield Township Veterans Memorial Project	\$100,000
GN	Gahanna Exploration Center	\$100,000
GO	Harmony Park	\$100,000
GP	Highland Heights Park Connector	\$100,000
GQ	Holden Arboretum All-Season Trails	\$100,000
GR	Kenton Saulisberry Park at France Lake	\$100,000
GS	Mansfield Sterkel Park	\$100,000
GT	Marion Lincoln Park	\$100,000
GU	Mecca Township Recreation Center	\$100,000
GV	Montgomery Cultural Arts and Performance Fountain	\$100,000
GW	Ottawa Memorial Pool Splash Pad	\$100,000
GX	Outdoor Theater and Performing	\$100,000

	Arts Community Park - Hillsboro	
GY	Painesville Kiwanis Recreation Park	\$100,000
GZ	Pickleball Courts at Patricia Allyn Park	\$100,000
HA	Plain City Heritage Trail	\$100,000
HB	Plan4Health Perry Township Park Trail Improvement Plan	\$100,000
HC	Police and Fire Dedication Playground - Lyndhurst	\$100,000
HD	Sheffield Village James Day Park	\$100,000
HE	Syracuse Skatepark	\$100,000
HF	The Pony Wagon Trail	\$100,000
HG	The Wilds Shade and Shelter Improvements	\$100,000
HH	Veterans Memorial at Rose Run Park	\$100,000
HI	Village of Bellville Historic Bandstand Renovations	\$100,000
HJ	Village of Bentleyville Riverview Community Park	\$100,000
HK	Village of Middlefield Parks	\$100,000

Upgrades		
HL	Weatherstone Park - Wadsworth	\$100,000
HM	West Alexandria Smith Street Park	\$100,000
HN	Wintersville Recreation Complex	\$100,000
HO	Acres of Adventure Learning Center	\$90,000
HP	Byesville Patriot Park	\$90,000
HQ	Malta Park Improvements	\$90,000
HR	Parma Park Improvements	\$90,000
HS	Perrysville Weltmer Park - Playground	\$85,000
HT	4-H Camp Piedmont Upgrades	\$75,000
HU	Brook Park Central Park	\$75,000
HV	Cuyahoga Heights Willowbrook Connector Trail	\$75,000
HW	Fairborn Memorial Park	\$75,000
HX	Fairview Park Bain Park	\$75,000
HY	Havener Park Improvements	\$75,000
HZ	Independence Pool Facility	\$75,000

Improvements		
IA	Lancaster Nature Trail at AHA!	\$75,000
IB	Leipsic Buckeye Park	\$75,000
IC	Little Miami River Access and Park Development	\$75,000
ID	Loveland Heights Playground Improvements	\$75,000
IE	Middleport-Pomeroy Walking Path Project Phase IV	\$75,000
IF	Monroe Township Park Playground	\$75,000
IG	Mt. Sterling Mason Park	\$75,000
IH	New Concord Swimming Pool	\$75,000
II	Outdoor Sports Court Revitalization - Springdale	\$75,000
IJ	Sharon Nature Preserve Trails Phase I	\$75,000
IK	Wadsworth Safety Town Park	\$75,000
IL	Voice of America MetroPark Tylersville Road Entrance	\$70,000
IM	Wilhelmina Park Trail and Shelter Project	\$70,000

IN	Ellsworth Hills Learning Lab	\$65,000
IO	Roscoe Village Infrastructure Project	\$60,000
IP	Buckeye Trail East Fork Wildlife Area	\$57,000
IQ	Caldwell Walking Track Expansion	\$55,000
IR	Reservoir Park Pathway Pedestrian Bridge - Deshler	\$52,000
IS	McCulloughs Run - Newton	\$50,000
IT	Bellaire Walking Trail	\$50,000
IU	Big Walnut Trail Extension and Park	\$50,000
IV	Big Walnut Trail SE Columbus - Eastland Area	\$50,000
IW	Brunswick Lake ADA Canoe/Kayak Launch	\$50,000
IX	Bryan George Bible Park	\$50,000
IY	Buckeye Lake Crystal Lagoon and Public Park	\$50,000
IZ	Center Ice Foundation	\$50,000
JA	Cleveland Botanical Garden Public Accessible Garden Path	\$50,000

JB	Concord Township Park Restroom Facility Project	\$50,000
JC	Doylestown Memorial Park	\$50,000
JD	Drews Track Memorial Pump Track Expansion	\$50,000
JE	Glass City Enrichment Center	\$50,000
JF	Greenwich Reservoir Park	\$50,000
JG	Leila McGuire Jeffrey Park Playground	\$50,000
JH	Levitt Pavilion Dayton	\$50,000
JI	Madison Village Dana's Park	\$50,000
JJ	Madison Village Wetland Trail	\$50,000
JK	Martins Ferry Recreation Center- Water Splash Park/Ice Rink	\$50,000
JL	Millersport Lions Park	\$50,000
JM	Moscow Ohio River Stabilization, Phase II	\$50,000
JN	Ohio FFA Camp Muskingum	\$50,000
JO	P&G MLB Cincinnati Reds Youth Academy	\$50,000
JP	Penney Nature Center Improvement	\$50,000

	Project	
JQ	Prairie Trail/Stitt Park Improvements	\$50,000
JR	Caldwell Race Track Upgrades	\$50,000
JS	Richmond Heights Community Park Gazebo	\$50,000
JT	Richwood Park Lynn St. Shelterhouse and Parking	\$50,000
JU	Salt Fork State Park	\$50,000
JV	Shade Community Center Upgrades	\$50,000
JW	Tinker's Creek Trail	\$50,000
JX	Village of Bloomdale Reservoir Project	\$50,000
JY	Wapakoneta Waterpark	\$50,000
JZ	Walton Hills Thomas Young Park	\$48,000
KA	Byrd Township Community Center	\$45,000
KB	Selby Building Revitalization	\$45,000
KC	Village of Dunkirk Splash Pad and Storage Building	\$45,000
KD	Burr Oak State Park	\$44,000

KE	Veterans Memorial Park Accessibility Improvements - Liberty Center	\$42,000
KF	Chippewa Falls Rail Trail Parking Lot	\$40,000
KG	Chippewa Park Shelter House	\$40,000
KH	Gates Mills Community House Improvements	\$40,000
KI	Hartinger Park/Diles Park Playground Improvements	\$40,000
KJ	Fifth Street Park Play Structure and Splash Pad	\$30,000
KK	Keener Park Sledding Hill	\$30,000
KL	Alger Park Upgrades	\$25,000
KM	Blue Heron Park Trail Phase II	\$25,000
KN	Charlement Reservation Stable	\$25,000
KO	Gloria Glens Southwest Park Grading	\$25,000
KP	Pickerington Promenade	\$25,000
KQ	Plymouth Mary Fate Park	\$25,000
KR	Blue Heron Park Flood Mitigation	\$20,000

KS	Hardin County Veterans Memorial Park	\$20,000
KT	Malinta Community Park	\$20,000
KU	Zuck Riparian Preserve Trail	\$18,000
KV	Perrysville Weltmer Park - Electrical	\$15,000
KW	Sardinia Veteran's Community Park Revitalization	\$15,000
KX	Kokosing Gap Trail	\$14,000
KY	Paulding County Park District Floating Pier Addition	\$10,000
KZ	Buckeye Trail Boesel Easement Bridge	\$2,800
LA	Paulding County Park District Boat Launch Improvement	\$2,500
LB	Paulding County Park District	\$1,000
LC	Paulding County Park District Pier	\$1,000

Sec. 237.10.

7056

7057

A	FCC FACILITIES CONSTRUCTION COMMISSION		
B	State Fiscal Recovery Fund (Fund 5CV3)		
C	C230GF	ARPA School Security	\$100,000,000
D	TOTAL State Fiscal Recovery Fund		\$100,000,000
E	Administrative Building Fund (Fund 7026)		
F	C23016	Energy Conservation Projects	\$2,000,000
G	C230E5	State Agency Planning/Assessment	\$2,800,000
H	TOTAL Administrative Building Fund		\$4,800,000
I	Cultural and Sports Facilities Building Fund (Fund 7030)		
J	C23024	OHS - Statewide Site Exhibit Renovation	\$475,000
K	C23025	OHS - Statewide Site Repairs	\$1,600,000
L	C23028	OHS - Basic Renovations and Emergency Repairs	\$1,000,000
M	C23032	OHS - Ohio Historical Center Rehabilitation	\$3,000,000
N	C23033	OHS - Stowe House State Memorial	\$1,500,000
O	C23034	OHS - National Afro-American Museum	\$900,000
P	C23057	OHS - Online Portal to Ohio's Heritage	\$400,000
Q	C230C8	OHS - Serpent Mound	\$750,000

R	C230E6	OHS - Exhibits Native American Sites	\$250,000
S	C230EN	OHS - Storage Facility Expansion	\$5,000,000
T	C230EO	OHS - Poindexter Village Museum	\$1,000,000
U	C230FM	Cultural and Sports Facilities Projects	\$51,894,000
			<u>\$52,044,000</u>
V	C230FS	OHS - Ohio River Museum New Building	\$3,000,000
W	C230FT	OHS - Statewide Site Security System	\$400,000
X	C230FY	OHS - National Road Museum	\$500,000
Y	C230GG	OHS - Start Westward Monument	\$500,000
Z	C230W7	OHS - Lundy House Restoration	\$1,250,000
AA	C230X1	OHS - Site Energy Conservation	\$300,000
AB	TOTAL	Cultural and Sports Facilities Building Fund	\$73,719,000
			<u>\$73,869,000</u>
AC		School Building Program Assistance Fund (Fund 7032)	
AD	C23002	School Building Program Assistance	\$600,000,000
AE	TOTAL	School Building Program Assistance Fund	\$600,000,000
AF		Capital IT Projects Fund (Fund 7091)	
AG	C230GF	Data Management Solution	\$3,000,000
AH	TOTAL	Capital IT Projects Fund	\$3,000,000

AI TOTAL ALL FUNDS ~~\$781,519,000~~
\$781,669,000

ARPA SCHOOL SECURITY 7058

(A) The foregoing appropriation item C230GF, ARPA School 7059
Security, shall be used by the Facilities Construction 7060
Commission to award grants of up to \$100,000 per school building 7061
to eligible public school districts and chartered nonpublic 7062
schools. Grants shall be awarded according to guidelines adopted 7063
by the Commission after consultation with the Ohio Department of 7064
Education and the division of Homeland Security of the 7065
Department of Public Safety. In awarding grants, the Commission 7066
may consider applications submitted by eligible public school 7067
districts in response to similar grant programs operated by the 7068
Commission that have not been awarded if such applications 7069
comply with guidelines adopted under this division. 7070

(B) All grants awarded under division (A) of this section 7071
shall comply with requirements of the federal American Rescue 7072
Plan Act of 2021, Pub. L. No. 117-2. 7073

(C) As used in division (A) of this section: 7074

(1) "Eligible public school district" means any city, 7075
local, exempted village, or joint vocational school district, 7076
any community school established under Chapter 3314. of the 7077
Revised Code, and any STEM school established under Chapter 7078
3326. of the Revised Code. 7079

(2) "School building" means a classroom facility serving 7080
the educational needs of students that has not had construction 7081
completed within the prior five years under any of the programs 7082
authorized under Chapter 3318. of the Revised Code and that has 7083

not received grant funding under the School Safety Grant Program 7084
established in S.B. 310 of the 133rd General Assembly and funded 7085
by appropriation item C23020, School Safety Grant Program. 7086

(3) "Chartered nonpublic school" means a school that meets 7087
standards for nonpublic schools prescribed by the State Board of 7088
Education for nonpublic schools pursuant to section 3301.07 of 7089
the Revised Code. 7090

ENERGY CONSERVATION PROJECTS 7091

The foregoing appropriation item C23016, Energy 7092
Conservation Projects, shall be used to perform energy 7093
conservation renovations, including the United States 7094
Environmental Protection Agency's Energy Star Program, in state- 7095
owned facilities. Prior to the release of funds for renovation, 7096
state agencies shall have performed a comprehensive energy audit 7097
for each project. The Facilities Construction Commission shall 7098
review and approve proposals from state agencies to use these 7099
funds for energy conservation. Public school districts and 7100
state-supported and state-assisted institutions of higher 7101
education are not eligible for funding from this item. 7102

STATE AGENCY PLANNING/ASSESSMENT 7103

Capital appropriations in ~~this act~~ H.B. 687 of the 134th 7104
General Assembly made from appropriation item C230E5, State 7105
Agency Planning/Assessment, shall be used by the Facilities 7106
Construction Commission to provide assistance to any state 7107
agency for assessment, capital planning, and maintenance 7108
management. 7109

Sec. 237.13. CULTURAL AND SPORTS FACILITIES PROJECTS 7110

The foregoing appropriation item C230FM, Cultural and 7111
Sports Facilities Projects, shall be used to support the 7112

projects listed in this section.

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A	Project List	
B	Columbus Symphony Orchestra	\$2,000,000
C	Findlay Market Garage	\$2,000,000
D	Toledo Museum of Art	\$1,250,000
E	Cincinnati Museum Center STEM - Biomedical and Early Childhood Exhibits	\$1,200,000
F	Allen County Memorial Hall Improvements	\$1,000,000
G	Historic Newark Arcade Renovation	\$1,000,000
H	Eric Mendelsohn Park Synagogue Campus Restoration	\$1,000,000
I	Playhouse Square	\$1,000,000
J	Port Regal Theatre	\$1,000,000
K	Pro Football Hall of Fame	\$1,000,000
L	Rock and Roll Hall of Fame Expansion	\$1,000,000
M	Cleveland Museum of Art Horace Kelley Art Foundation Lobby Renovation Phase II	\$900,000
N	Cleveland Museum of Natural History	\$900,000

O	A.B. Graham Memorial at I-70 and SR 72	\$750,000
P	American Sign Museum	\$750,000
Q	James A. Garfield Memorial Preservation	\$750,000
R	Springfield Art Museum	\$750,000
S	Central Presbyterian Church	\$650,000
T	Emery Theater Restoration	\$650,000
U	Salmon Carter House	\$625,000
V	Athens Hall of Honor Veterans Memorial	\$600,000
W	DeYor Performing Arts Center	\$600,000
X	Fremont Amphitheater Park	\$600,000
Y	National Museum of the Great Lakes Expansion Project	\$600,000
Z	OH WOW! The Roger and Gloria Jones Children's Center for Science and Technology	\$600,000
AA	Akron Art Museum-Center for Creative Learning	\$500,000
AB	Canton Township Palace Theater	\$500,000
AC	Champaign Aviation Museum Improvements	\$500,000
AD	Crawford Auto-Aviation Museum	\$500,000
AE	Day Air Credit Union Ballpark Professional Development License Facility Standard Improvements	\$500,000

AF	Dayton Institute of Art	\$500,000
AG	Fort Recovery Opera House	\$500,000
AH	Friends of the St. Marys Theater and Grand Opera House Downtown Revitalization Project	\$500,000
AI	International Soap Box Derby	\$500,000
AJ	Lyric Theater Renovation	\$500,000
AK	Miami Valley Veterans Museum	\$500,000
AL	National Aviation Hall of Fame Innovation Laboratory	\$500,000
AM	National Voice of America Museum of Broadcasting	\$500,000
AN	Ohio Aerospace Institute Building Repair Project	\$500,000
AO	Stan Hywet Hall and Garden	\$500,000
AP	The Barn at Stratford	\$500,000
AQ	York Mason Building Renovation	\$500,000
AR	Brown-Harris Historic Cemetery Preservation	\$450,000
AS	Schuster Center	\$450,000
AT	Taft Museum of Art Preservation Phase II	\$450,000
AU	Clifton Cultural Arts Center	\$400,000
AV	Orange Township Veterans Memorial	\$400,000
AW	Columbus Museum of Art	\$350,000

AX	Fort Laurens Restoration	\$330,000
AY	Cleveland Center for Arts and Technology	\$325,000
AZ	Vandalia Art Park Amphitheater	\$300,000
BA	Butler Art Museum	\$300,000
BB	Champaign County Historical Society-Museum Additions and Renovation	\$300,000
BC	Gloria Theatre and the Urbana Youth Center Improvements	\$300,000
BD	Historic Washington Auditorium Renovation	\$300,000
BE	Jackson Amphitheater	\$300,000
BF	New Franklin Tudor House	\$300,000
BG	Robert (Sonny) Hill Community Center Expansion and Redevelopment Project	\$300,000
BH	Rockwell District Cultural and Arts Amphitheater - Whitehall	\$300,000
BI	Steubenville Grand Theater	\$300,000
BJ	Veterans Memorial Lake Park	\$300,000
BK	Oak Harbor Riverfront	\$275,000
BL	City of Orrville Market West Historic Area	\$250,000
BM	Cranz Farm at Hale Farm and Village	\$250,000

BN	Everts Athletic and Arts Community Center	\$250,000
BO	Findlay Market Infrastructure Renovations	\$250,000
BP	Holmes Center for the Arts	\$250,000
BQ	New London Hileman Community Building Project	\$250,000
BR	Piqua Arts - The Bank	\$250,000
BS	Rickenbacker Boyhood Home	\$250,000
BT	Sandusky State Theatre	\$250,000
BU	Toledo School for the Arts Expansion	\$250,000
BV	Youngstown Heritage Manor	\$250,000
BW	Preble County Historical Society Restoration and Nature Reserve	\$240,000
BX	Pickaway County Memorial Hall	\$225,000
BY	Beck Center	\$200,000
BZ	Cincinnati Carriage House Renovations	\$200,000
CA	Complete Cozad - Health Hospitality Campus	\$200,000
CB	East Liverpool Revitalization Project	\$200,000
CC	Grant Sawyer Carriage House	\$200,000
CD	Lorain Palace Theatre	\$200,000
CE	Marion Heritage Hall	\$200,000

CF	Painesville Amphitheater	\$200,000
CG	Karamu House Educational Wing Renovations	\$175,000
CH	McDowell-Phillips House Museum	\$175,000
CI	McKinley Presidential Library Upgrades	\$171,000
CJ	Grafton Veterans Memorial	\$150,000
CK	Historic Ohio State Reformatory Tour Site Upgrade and Expansion	\$150,000
CL	Johnstown Amphitheater	\$150,000
CM	Marion Women's Club	\$150,000
CN	Necco Center Campus	\$150,000
CO	Nuestra Gente Community Center	\$150,000
CP	Powell Education Center	\$150,000
CQ	St. Clairsville Train Depot	\$150,000
CR	Tecumseh! Actors Village Improvements	\$150,000
CS	Van Wert Area Performing Arts Annex Workshop	\$150,000
CT	Village of Richwood Opera House Restoration	\$150,000
CU	Woodsfield Monroe Theatre	\$135,000
CV	Pump House Center for the Arts	\$127,000
CW	Beach Park Railway Museum	\$125,000

CX	Ensemble Theatre of Cincinnati	\$125,000
CY	Forever Dads Historic Building Restoration	\$125,000
CZ	John and Iris Hathaway Education and Community Center	\$125,000
DA	Logan Theater Renovation	\$125,000
DB	<u>Anchorage Rehabilitation Phase III</u>	<u>\$100,000</u>
DC	Armstrong Air and Space Museum	\$100,000
DD	Barker House Stabilization Project	\$100,000
DE	Boonshoft Museum of Discovery	\$100,000
DF	Bowling Green Oak Street Theater	\$100,000
DG	Chagrin Falls Historical Society	\$100,000
DH	Columbus College of Art and Design Youth and Community Learning Hub	\$100,000
DI	Dairy Barn Arts Center	\$100,000
DJ	Delaware Arts Castle Mason Repairs	\$100,000
DK	Downtown Marion Community Culture and Entertainment Zone	\$100,000
DL	Dublin Arts Council - Muirfield Drive Project	\$100,000
DM	Evendale Cultural Arts Center - ADA Compliance	\$100,000
DN	Fayette County Museum	\$100,000

DO	Federal Valley Resource Center Improvements	\$100,000
DP	Firelands Historical Society Expansion	\$100,000
DQ	Galion Big Four Depot Renovation	\$100,000
DR	Historic Hoover Auditorium Renovation	\$100,000
DS	Historic Sidney Theater Phase II	\$100,000
DT	Hotel McArthur	\$100,000
DU	Jacob Miller Tavern	\$100,000
DV	Kol Israel Foundation Holocaust Memorial	\$100,000
DW	Lilly Weston House	\$100,000
DX	Louis Sullivan Building	\$100,000
DY	Macedonia Missionary Baptist Church Renovation	\$100,000
DZ	Middletown Entertainment and Sports Venue	\$100,000
EA	North Ridgeville Veterans Memorial	\$100,000
EB	Port Clinton Arts Garage	\$100,000
EC	Portage Riverwalk Arts Infrastructure - Oak Harbor	\$100,000
ED	Ro-Na Theater Entertainment and Performing Arts Theater	\$100,000
EE	Strand Theatre	\$100,000
EF	Swanton Memorial Park Improvements	\$100,000

EG	Walnut Hills Creative Campus	\$100,000
EH	Wellston Sport Complex	\$100,000
EI	Zoar <u>Dennison</u> Community Auditorium Accessibility	\$95,000
EJ	Arts and Education Campus Improvements - Silverton	\$90,000
EK	Georgetown Hall - Adena	\$90,000
EL	Sugarcreek Township Veterans Memorial	\$90,000
EM	Case Barlow Farm	\$80,000
EN	Highland House Museum	\$77,000
EO	Boys and Girls Club - HVAC and Roof Repair - Orrville	\$75,000
EP	Danny Thomas Park Amphitheater	\$75,000
EQ	Hudson Historic Boy Scout Cabin	\$75,000
ER	Pleasant Square Community Center	\$75,000
ES	Tarlton Community Building	\$75,000
ET	Warren County Community Services	\$75,000
EU	Massillon Museum Fire Monitoring System	\$68,000
EV	Pike Heritage Museum	\$60,000
EW	Allen County Museum	\$50,000
EX	Willoughby Arts Education and Performing Arts Center	\$50,000

EY	Fairfield County Historical Society Goslin Room	\$50,000
EZ	G.A.R. Hall Historic Rehabilitation	\$50,000
FA	Gallipolis Railroad Freight Station Museum	\$50,000
FB	Grand Army of the Republic Hall	\$50,000
FC	Grant Memorial Building, Phase II	\$50,000
FD	Grant Presidential Sculpture	\$50,000
FE	History Manor Renovation and Reinterpretation - Wauseon	\$50,000
FF	Libbey House	\$50,000
FG	Mansard Building Project	\$50,000
FH	Mansfield Art Center Pavilion	\$50,000
FI	O.P. Chaney/Historic Mill	\$50,000
FJ	Oviatt House	\$50,000
FK	Railroad Museum Upgrades - Bradford	\$50,000
FL	<u>SAM Center Upgrades</u>	<u>\$50,000</u>
FM	Spring Hill	\$50,000
FN	Trumpet in the Land Outdoor Drama Tower Project	\$50,000
FO	Westfield Center Community Center ADA Improvement Project	\$50,000
FP	Zanesville Gateway District	\$50,000

FQ	Zanesville Museum of Art Facility EIFS Repairs and HVAC Replacement	\$50,000
FR	Hardin County Armory	\$45,000
FS	Genoa One Room School House	\$40,000
FT	Victorian House Museum	\$35,000
FU	Convoy Opera House Annex Restoration	\$31,000
FV	Stuart's Opera House	\$30,000
FW	Dayton Contemporary Dance Arts and Cultural Center	\$25,000
FX	Ohio Glass Museum	\$25,000
FY	Peoples Bank Theatre	\$25,000
FZ	Poland Historical Society	\$25,000
GA	Village of Garrettsville Cemetery	\$25,000
GB	Scioto County Heritage Museum Restoration	\$10,000

Section 615.02. That existing Sections 207.15, 221.10, 7115
221.13, 223.10, 223.15, 237.10, and 237.13 of H.B. 687 of the 7116
134th General Assembly are hereby repealed. 7117

Section 701.10. (A) As used in this section: 7118

(1) "Performing arts organization" means any institution 7119
that satisfies all of the following: 7120

(a) Its principal place of business is in this state. 7121

(b) Its primary purpose is to produce or present 7122

performances in music, comedy, the performing arts, or related fields. 7123
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(c) It is operated by or partially funded by a political subdivision of this state, a state institution of higher education, or a charitable organization. 7125
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(d) If it is operated by or partially funded by a political subdivision of this state or a state institution of higher education, it receives at least a majority of its funding from sources other than that subdivision or institution. 7128
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(e) If it is operated by a state institution of higher education, its managing board is independent of that institution's board of trustees and it does not present work exclusively by or for students. 7132
7133
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(f) It manages its own budget. 7136

(g) It has an annual, independent audit. 7137

(2) "Cultural arts museum" means any museum that satisfies all of the following: 7138
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(a) It is located in this state. 7140

(b) Its primary purpose is to exhibit or present, for artistic or aesthetic purposes, property, including such property related to painting, drawing, design, sculpture making, ceramic making, printmaking, photography, video and filmmaking, graphic design, architecture, textiles, performing arts, and preserving and interpreting the history, art, and culture of popular music and multidisciplinary art forms. 7141
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(c) The operator of the museum meets all of the criteria described in divisions (A) (1) (c) to (g) of this section. 7148
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(3) "Charitable organization" means an organization 7150
described under section 501(c) (3) of the Internal Revenue Code 7151
and exempt from federal income taxation under section 501(a) of 7152
the Internal Revenue Code. 7153

(4) "State institution of higher education" has the same 7154
meaning as in section 3345.011 of the Revised Code. 7155

(B) A performing arts organization or the operator of a 7156
cultural arts museum may apply to the Director of Development 7157
for a grant under this section. The application shall be 7158
submitted on a form and in the manner prescribed by the Director 7159
not later than thirty days after the effective date of this 7160
section. 7161

The application shall, at minimum, include the following: 7162

(1) Documentation establishing the organization's or the 7163
museum's operating budget for the most recently-concluded 7164
calendar year; 7165

(2) Information and documentation detailing the 7166
organization's or operator's intended use of the requested grant 7167
funds; 7168

(3) Any other information and documentation sufficient to 7169
establish that the organization or the museum meets the 7170
eligibility criteria prescribed by this section. 7171

(C) The Director shall review and make a determination on 7172
each application submitted under division (B) of this section 7173
within thirty days of receipt. The Director may approve the 7174
application and award a grant to such organization or the 7175
operator of such museum. When awarding grants to eligible 7176
recipients, and when determining the amount of such grants, the 7177
Director shall give priority to organizations and operators of 7178

museums that did not receive funding from the Ohio Arts Council 7179
pursuant to the "Coronavirus Aid, Relief, and Economic Security 7180
(CARES) Act," Pub. L. No. 116-136. 7181

(D) Grants awarded under this section shall be used for one 7182
or more of the following purposes: 7183

(1) Employee compensation, excluding bonuses; 7184

(2) Employee recruitment, rehiring, and training expenses; 7185

(3) Rent or mortgage payments; 7186

(4) Operating costs; 7187

(5) Capital expenditures. 7188

Section 701.30. The amendment by this act of section 7189
149.311 of the Revised Code applies to applications filed with 7190
the Director of Development under division (B) of that section 7191
on or after the effective date of this section. 7192

Section 735.10. The amendments made by this act to 7193
sections 3505.183 and 3509.05 of the Revised Code supersede any 7194
conflicting provisions of those sections, as amended by H.B. 458 7195
of the 134th General Assembly. 7196

Section 751.10. (A) As used in this section: 7197

(1) "CMS" means the United States Centers for Medicare and 7198
Medicaid Services. 7199

(2) "Entity" has the same meaning as in 42 C.F.R. 460.10. 7200

(3) "PACE center," "PACE organization," "participant," and 7201
"state administering agency" have the same meanings as in 42 7202
C.F.R. 460.6. 7203

(B) (1) Not later than one hundred twenty days after the 7204

effective date of this section, the Department of Aging shall 7205
issue a request for proposals from any entity interested in 7206
becoming a PACE organization, including for service areas in the 7207
counties, or contiguous zip codes within the counties, or 7208
extending from the counties, of Franklin, Hamilton, Montgomery, 7209
Lorain, Lucas, and Summit. Proposals shall be submitted to the 7210
Department not later than ninety days after the date the 7211
Department issues the request for proposals. 7212

(2) Division (B) (1) of this section does not prevent the 7213
Department from expanding the PACE program outside of the 7214
process required by that division, including by issuing other 7215
requests for proposals. 7216

(C) To be eligible for approval by the Department to 7217
become a PACE organization, an entity that submits a proposal 7218
pursuant to division (B) (1) of this section shall meet all of 7219
the following requirements: 7220

(1) The entity provides a feasibility study of its 7221
proposed service area to the Department. 7222

(2) The entity has a current, valid provider agreement, as 7223
defined in section 5164.01 of the Revised Code, or will be 7224
eligible to enter into a provider agreement by the time that the 7225
entity will begin providing services under the PACE program. 7226

(3) The entity meets all federal requirements applicable 7227
to PACE organizations. 7228

(4) The entity demonstrates to the satisfaction of the 7229
Department that the organization has experience providing health 7230
care services to frail older adults and that each member of the 7231
entity's staff, including employees and contractors, complies 7232
with 42 C.F.R. 460.64. 7233

(5) The entity has a facility suitable to be a PACE center, or plans to acquire, build, or expand a facility suitable to be a PACE center prior to beginning services, in its proposed service area, as described in the request for proposals process.

(6) The entity meets any additional requirements in rules adopted by the Department pursuant to division (G) of this section.

(D) The Department shall review all proposals submitted in accordance with division (B) (1) of this section. For at least each of the six service areas identified in division (C) of this section, the Department shall determine from the proposals which entities it considers qualified to become PACE organizations for each service area. The determination shall be made not later than nine months after the date the Department issues the request for proposals.

(E) An entity considered by the Department as qualified to become a PACE organization may apply to CMS to become a PACE organization. The Department shall provide support to any such organization that applies to CMS, by complying with federal requirements.

(F) Each entity approved to become a PACE organization by CMS shall begin providing services to participants not later than two years after the entity receives notice of its approval from CMS, consistent with federal financial participation.

(G) The Director of Aging may adopt rules to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.

Section 751.20. (A) The Medicaid Director shall make a

one-time payment to each freestanding dialysis center that is 7263
licensed under section 3702.30 of the Revised Code and in good 7264
standing with the Department of Health. The payment shall be 7265
made in accordance with the formula set forth in division (C) of 7266
this section and used by freestanding dialysis centers 7267
exclusively for direct care staff compensation, including 7268
retention bonus payments, overtime pay and shift differential 7269
payments, staff recruitment costs, and incentive payments for 7270
new hires. 7271

(B) The payment made pursuant to this section shall not be 7272
used by a freestanding dialysis center to pay: contract workers; 7273
temporary staff supplied through or by a staffing agency; or 7274
facility administrators, executive staff, or owners. The 7275
Medicaid Director may recover any payment used for purposes 7276
other than as specified in this section. 7277

(C) The amount of the payment made to a freestanding 7278
dialysis center as provided under this section shall be 7279
determined in accordance with this division. The Department of 7280
Medicaid shall calculate the total value of claims paid to all 7281
freestanding dialysis centers eligible under division (A) of 7282
this section, as compared to the total value of all claims paid 7283
to each eligible freestanding dialysis center, for services 7284
rendered during the period of July 1, 2020, through June 30, 7285
2021. Based on those amounts, the Department shall determine for 7286
each eligible freestanding dialysis center the percentage of 7287
services provided by each center. The Director shall use that 7288
percentage in allocating funds appropriated for the purposes of 7289
this section. 7290

(D) The Director may adopt rules as the Director 7291
determines necessary to implement this section. Any rules 7292

adopted shall be in accordance with Chapter 119. of the Revised Code. 7293
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Section 751.30. (A) As used in this section: "ancillary and support costs," "capital costs," "cost center," "direct care costs," "nursing facility," "provider," and "tax costs" have the same meanings as in section 5165.01 of the Revised Code. 7295
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(B) Notwithstanding the rebasing requirements of section 5165.36 of the Revised Code as amended by this act and Section 333.240 of H.B. 110 of the 134th General Assembly, it is the intent of the General Assembly to require in the main operating budget of the 135th General Assembly a rebasing of the direct care cost, ancillary and support cost, and tax cost centers, to be effective July 1, 2023. In the rebasing, the Department will use data from nursing facility cost reports from calendar year 2022 filed with the Department pursuant to section 5165.10 of the Revised Code. 7299
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(C) It is the intent of the General Assembly to require the Department of Medicaid and industry stakeholders together to develop both of the following detailed legislative proposals and submit the proposals to the General Assembly pursuant to section 101.68 of the Revised Code as follows: 7309
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(1) Not later than October 1, 2023, a proposal for replacing the current formula for calculating nursing facility's capital costs with a formula that utilizes a fair rental value methodology; 7314
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(2) Not later than June 1, 2023, a proposal to provide a reimbursement incentive for nursing facility providers for utilizing private rooms for their residents. 7318
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Section 751.40. HOSPITAL WORKFORCE INCENTIVE PAYMENTS 7321

For the purposes described in this section and 7322
notwithstanding section 5164.48 of the Revised Code, the 7323
Medicaid Director may make payments to hospitals that are 7324
Medicaid providers, as defined in section 5164.01 of the Revised 7325
Code, and are general, acute-care hospitals in good standing 7326
classified by the Department of Medicaid as a critical access 7327
hospital or a rural hospital. A hospital shall use the payments 7328
exclusively for direct care staff compensation, which may 7329
include staff retention bonus payments, overtime pay and shift 7330
differential payments, staff recruitment costs, and new hire 7331
incentive payments. 7332

(A) All funds distributed under this section are in 7333
addition to the Medicaid payment rates set forth in Chapter 7334
5164. of the Revised Code. 7335

(B) No funds under this section shall be paid to any of 7336
the following: 7337

- (1) Contract workers; 7338
- (2) Staff supplied by or through a staffing agency; 7339
- (3) Hospital administrators; 7340
- (4) Hospital executive staff; 7341
- (5) Hospital owners. 7342

(C) The Medicaid Director may recover any funds that are 7343
used for any purpose other than as specified in this section. 7344

Section 757.01. (A) As used in this section: 7345

(1) "Qualifying delinquent taxes and fees" means any of 7346
the following taxes or fees that were due and payable from any 7347
person as of the effective date of this section, were unreported 7348

or underreported, and remain unpaid: 7349

(a) Any state tax or fee levied under Chapter 128., 3734., 7350
3769., 4301., 4303., 4305., 5726., 5727., 5728., 5735., 5736., 7351
5743., 5747., 5749., 5751., or 5753. of the Revised Code, 7352
including the taxes required to be withheld under Chapter 5747. 7353
of the Revised Code; 7354

(b) Any sales and use tax levied under section 5739.02, 7355
5739.021, 5739.023, 5739.026, 5741.02, 5741.021, 5741.022, or 7356
5741.023 of the Revised Code. 7357

(2) "Qualifying delinquent taxes and fees" does not 7358
include any tax or fee for which a notice of assessment or audit 7359
has been issued, for which a bill has been issued, which relates 7360
to a period that ends after the effective date of this section, 7361
or for which an audit has been conducted or is currently being 7362
conducted. 7363

(B) At any time in calendar year 2023 before November 1, 7364
2023, the Director of Budget and Management may determine that 7365
it is necessary for the state to administer a tax amnesty 7366
program. The Director shall make that determination only if the 7367
Director finds that the General Revenue Fund will require 7368
additional proceeds from the amnesty program in order to meet 7369
obligations required to be paid from that fund in calendar year 7370
2023. 7371

If the Director determines that a tax amnesty is 7372
necessary, the Director shall certify the Director's finding to 7373
the Tax Commissioner, the Governor, the President and Minority 7374
Leader of the Senate, and the Speaker and Minority Leader of the 7375
House of Representatives. 7376

(C) If the Tax Commissioner receives the certification 7377

under division (B) of this section, the Commissioner shall 7378
establish and administer a tax and fee amnesty program with 7379
respect to qualifying delinquent taxes and fees. The program 7380
shall operate during two consecutive months in 2023, as 7381
designated by the Commissioner. The Commissioner shall issue 7382
forms and instructions and take other actions necessary to 7383
implement the program. The Commissioner shall publicize the 7384
program so as to maximize public awareness and participation in 7385
the program. 7386

(2) During the program, if a person pays the full amount 7387
of qualifying delinquent taxes and fees owed by that person less 7388
any interest and penalties that have accrued as a result of the 7389
person failing to pay those taxes and fees in a timely fashion, 7390
the Tax Commissioner shall waive or abate all applicable 7391
interest and penalties that accrued on the qualifying delinquent 7392
taxes and fees. 7393

(3) The Tax Commissioner may require a person 7394
participating in the program to file returns or reports, 7395
including amended returns and reports, in connection with the 7396
person's payment of qualifying delinquent taxes and fees. 7397

(4) A person who participates in the program and pays in 7398
full any outstanding qualifying delinquent tax or fee in 7399
accordance with this section shall not be subject to any 7400
criminal prosecution or any civil action with respect to that 7401
tax or fee, and no assessment shall thereafter be issued against 7402
that person with respect to that tax or fee. This division does 7403
not prohibit prosecution, a civil action, or an assessment 7404
against such a person with respect to a tax or fee that is due 7405
or payable on or after the effective date of this section. 7406

(5) Except as otherwise required under Section 290.10 of 7407

this act, taxes and fees collected under the program shall be 7408
credited, distributed, and used in the same manner as other 7409
taxes and fees of the same type that were timely collected under 7410
the applicable provision of the Revised Code. 7411

Section 757.20. The amendment by this act of section 7412
5713.03 of the Revised Code applies to tax year 2023 and every 7413
tax year thereafter. 7414

Section 812.10. The amendments by this act to Section 7415
701.70 of H.B. 110 of the 134th General Assembly are exempt from 7416
the referendum under Ohio Constitution, Article II, Section 1d 7417
because their implementation depends on appropriations contained 7418
in this act and therefore they take effect immediately when this 7419
act becomes law. 7420

Section 820.10. The General Assembly, applying the 7421
principle stated in division (B) of section 1.52 of the Revised 7422
Code that amendments are to be harmonized if reasonably capable 7423
of simultaneous operation, finds that the following sections, 7424
presented in this act as composites of the sections as amended 7425
by the acts indicated, are the resulting versions of the 7426
sections in effect prior to the effective date of the sections 7427
as presented in this act: 7428

Section 5747.01 of the Revised Code as amended by both 7429
H.B. 515 and S.B. 246 of the 134th General Assembly. 7430

Section 5747.98 of the Revised Code as amended by H.B. 95, 7431
S.B. 166, and S.B. 246, all of the 134th General Assembly. 7432