

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 611**

**Representatives Faber, Roegner**

**Cosponsors: Representatives Patterson, Seitz, Becker, Riedel**

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**A BILL**

To amend section 3314.08 and to enact section 1  
3314.272 of the Revised Code to condition 2  
payment from the Department of Education to an 3  
Internet- or computer-based community school on 4  
the school's use of automatically verifiable 5  
software that tracks attendance, class size, and 6  
participation. 7

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

**Section 1.** That section 3314.08 be amended and section 8  
3314.272 of the Revised Code be enacted to read as follows: 9

**Sec. 3314.08.** (A) As used in this section: 10

(1) (a) "Category one career-technical education student" 11  
means a student who is receiving the career-technical education 12  
services described in division (A) of section 3317.014 of the 13  
Revised Code. 14

(b) "Category two career-technical student" means a 15  
student who is receiving the career-technical education services 16  
described in division (B) of section 3317.014 of the Revised 17  
Code. 18

(c) "Category three career-technical student" means a student who is receiving the career-technical education services described in division (C) of section 3317.014 of the Revised Code.

(d) "Category four career-technical student" means a student who is receiving the career-technical education services described in division (D) of section 3317.014 of the Revised Code.

(e) "Category five career-technical education student" means a student who is receiving the career-technical education services described in division (E) of section 3317.014 of the Revised Code.

(2) (a) "Category one limited English proficient student" means a limited English proficient student described in division (A) of section 3317.016 of the Revised Code.

(b) "Category two limited English proficient student" means a limited English proficient student described in division (B) of section 3317.016 of the Revised Code.

(c) "Category three limited English proficient student" means a limited English proficient student described in division (C) of section 3317.016 of the Revised Code.

(3) (a) "Category one special education student" means a student who is receiving special education services for a disability specified in division (A) of section 3317.013 of the Revised Code.

(b) "Category two special education student" means a student who is receiving special education services for a disability specified in division (B) of section 3317.013 of the Revised Code.

(c) "Category three special education student" means a student who is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code.

(d) "Category four special education student" means a student who is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code.

(e) "Category five special education student" means a student who is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code.

(f) "Category six special education student" means a student who is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code.

(4) "Formula amount" has the same meaning as in section 3317.02 of the Revised Code.

(5) "IEP" has the same meaning as in section 3323.01 of the Revised Code.

(6) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(7) "State education aid" has the same meaning as in section 5751.20 of the Revised Code.

(B) The state board of education shall adopt rules requiring both of the following:

(1) The board of education of each city, exempted village,

and local school district to annually report the number of 76  
students entitled to attend school in the district who are 77  
enrolled in each grade kindergarten through twelve in a 78  
community school established under this chapter, and for each 79  
child, the community school in which the child is enrolled. 80

(2) The governing authority of each community school 81  
established under this chapter to annually report all of the 82  
following: 83

(a) The number of students enrolled in grades one through 84  
twelve and the full-time equivalent number of students enrolled 85  
in kindergarten in the school who are not receiving special 86  
education and related services pursuant to an IEP; 87

(b) The number of enrolled students in grades one through 88  
twelve and the full-time equivalent number of enrolled students 89  
in kindergarten, who are receiving special education and related 90  
services pursuant to an IEP; 91

(c) The number of students reported under division (B) (2) 92  
(b) of this section receiving special education and related 93  
services pursuant to an IEP for a disability described in each 94  
of divisions (A) to (F) of section 3317.013 of the Revised Code; 95

(d) The full-time equivalent number of students reported 96  
under divisions (B) (2) (a) and (b) of this section who are 97  
enrolled in career-technical education programs or classes 98  
described in each of divisions (A) to (E) of section 3317.014 of 99  
the Revised Code that are provided by the community school; 100

(e) The number of students reported under divisions (B) (2) 101  
(a) and (b) of this section who are not reported under division 102  
(B) (2) (d) of this section but who are enrolled in career- 103  
technical education programs or classes described in each of 104

divisions (A) to (E) of section 3317.014 of the Revised Code at 105  
a joint vocational school district or another district in the 106  
career-technical planning district to which the school is 107  
assigned; 108

(f) The number of students reported under divisions (B) (2) 109  
(a) and (b) of this section who are category one to three 110  
limited English proficient students described in each of 111  
divisions (A) to (C) of section 3317.016 of the Revised Code; 112

(g) The number of students reported under divisions (B) (2) 113  
(a) and (b) of this section who are economically disadvantaged, 114  
as defined by the department. A student shall not be 115  
categorically excluded from the number reported under division 116  
(B) (2) (g) of this section based on anything other than family 117  
income. 118

(h) For each student, the city, exempted village, or local 119  
school district in which the student is entitled to attend 120  
school under section 3313.64 or 3313.65 of the Revised Code. 121

(i) The number of students enrolled in a preschool program 122  
operated by the school that is licensed by the department of 123  
education under sections 3301.52 to 3301.59 of the Revised Code 124  
who are not receiving special education and related services 125  
pursuant to an IEP. 126

A school district board and a community school governing 127  
authority shall include in their respective reports under 128  
division (B) of this section any child admitted in accordance 129  
with division (A) (2) of section 3321.01 of the Revised Code. 130

A governing authority of a community school shall not 131  
include in its report under divisions (B) (2) (a) to (h) of this 132  
section any student for whom tuition is charged under division 133

(F) of this section.	134
(C) (1) Except as provided in division (C) (2) of this	135
section, and subject to <u>section 3314.272 of the Revised Code and</u>	136
divisions (C) (3), (4), (5), (6), and (7) of this section, on a	137
full-time equivalency basis, for each student enrolled in a	138
community school established under this chapter, the department	139
of education annually shall deduct from the state education aid	140
of a student's resident district and, if necessary, from the	141
payment made to the district under sections 321.24 and 323.156	142
of the Revised Code and pay to the community school the sum of	143
the following:	144
(a) An opportunity grant in an amount equal to the formula	145
amount;	146
(b) The per pupil amount of targeted assistance funds	147
calculated under division (A) of section 3317.0217 of the	148
Revised Code for the student's resident district, as determined	149
by the department, X 0.25;	150
(c) Additional state aid for special education and related	151
services provided under Chapter 3323. of the Revised Code as	152
follows:	153
(i) If the student is a category one special education	154
student, the amount specified in division (A) of section	155
3317.013 of the Revised Code;	156
(ii) If the student is a category two special education	157
student, the amount specified in division (B) of section	158
3317.013 of the Revised Code;	159
(iii) If the student is a category three special education	160
student, the amount specified in division (C) of section	161
3317.013 of the Revised Code;	162

(iv) If the student is a category four special education student, the amount specified in division (D) of section 3317.013 of the Revised Code;	163 164 165
(v) If the student is a category five special education student, the amount specified in division (E) of section 3317.013 of the Revised Code;	166 167 168
(vi) If the student is a category six special education student, the amount specified in division (F) of section 3317.013 of the Revised Code.	169 170 171
(d) If the student is in kindergarten through third grade, an additional amount of \$320;	172 173
(e) If the student is economically disadvantaged, an additional amount equal to the following:	174 175
\$272 X the resident district's economically disadvantaged index	176 177
(f) Limited English proficiency funds as follows:	178
(i) If the student is a category one limited English proficient student, the amount specified in division (A) of section 3317.016 of the Revised Code;	179 180 181
(ii) If the student is a category two limited English proficient student, the amount specified in division (B) of section 3317.016 of the Revised Code;	182 183 184
(iii) If the student is a category three limited English proficient student, the amount specified in division (C) of section 3317.016 of the Revised Code.	185 186 187
(g) If the student is reported under division (B) (2) (d) of this section, career-technical education funds as follows:	188 189

(i) If the student is a category one career-technical education student, the amount specified in division (A) of section 3317.014 of the Revised Code;	190 191 192
(ii) If the student is a category two career-technical education student, the amount specified in division (B) of section 3317.014 of the Revised Code;	193 194 195
(iii) If the student is a category three career-technical education student, the amount specified in division (C) of section 3317.014 of the Revised Code;	196 197 198
(iv) If the student is a category four career-technical education student, the amount specified in division (D) of section 3317.014 of the Revised Code;	199 200 201
(v) If the student is a category five career-technical education student, the amount specified in division (E) of section 3317.014 of the Revised Code.	202 203 204
Deduction and payment of funds under division (C) (1) (g) of this section is subject to approval by the lead district of a career-technical planning district or the department of education under section 3317.161 of the Revised Code.	205 206 207 208
(2) When deducting from the state education aid of a student's resident district for students enrolled in an internet- or computer-based community school and making payments to such school under this section, the department shall make the deductions and payments described in only divisions (C) (1) (a), (c), and (g) of this section.	209 210 211 212 213 214
No deductions or payments shall be made for a student enrolled in such school under division (C) (1) (b), (d), (e), or (f) of this section.	215 216 217



(3) (a) If a community school's costs for a fiscal year for 218  
a student receiving special education and related services 219  
pursuant to an IEP for a disability described in divisions (B) 220  
to (F) of section 3317.013 of the Revised Code exceed the 221  
threshold catastrophic cost for serving the student as specified 222  
in division (B) of section 3317.0214 of the Revised Code, the 223  
school may submit to the superintendent of public instruction 224  
documentation, as prescribed by the superintendent, of all its 225  
costs for that student. Upon submission of documentation for a 226  
student of the type and in the manner prescribed, the department 227  
shall pay to the community school an amount equal to the 228  
school's costs for the student in excess of the threshold 229  
catastrophic costs. 230

(b) The community school shall report under division (C) 231  
(3) (a) of this section, and the department shall pay for, only 232  
the costs of educational expenses and the related services 233  
provided to the student in accordance with the student's 234  
individualized education program. Any legal fees, court costs, 235  
or other costs associated with any cause of action relating to 236  
the student may not be included in the amount. 237

(4) In any fiscal year, a community school receiving funds 238  
under division (C) (1) (g) of this section shall spend those funds 239  
only for the purposes that the department designates as approved 240  
for career-technical education expenses. Career-technical 241  
education expenses approved by the department shall include only 242  
expenses connected to the delivery of career-technical 243  
programming to career-technical students. The department shall 244  
require the school to report data annually so that the 245  
department may monitor the school's compliance with the 246  
requirements regarding the manner in which funding received 247  
under division (C) (1) (g) of this section may be spent. 248

(5) Notwithstanding anything to the contrary in section	249
3313.90 of the Revised Code, except as provided in division (C)	250
(9) of this section, all funds received under division (C) (1) (g)	251
of this section shall be spent in the following manner:	252
(a) At least seventy-five per cent of the funds shall be	253
spent on curriculum development, purchase, and implementation;	254
instructional resources and supplies; industry-based program	255
certification; student assessment, credentialing, and placement;	256
curriculum specific equipment purchases and leases; career-	257
technical student organization fees and expenses; home and	258
agency linkages; work-based learning experiences; professional	259
development; and other costs directly associated with career-	260
technical education programs including development of new	261
programs.	262
(b) Not more than twenty-five per cent of the funds shall	263
be used for personnel expenditures.	264
(6) A community school shall spend the funds it receives	265
under division (C) (1) (e) of this section in accordance with	266
section 3317.25 of the Revised Code.	267
(7) If the sum of the payments computed under divisions	268
(C) (1) and (8) (a) of this section for the students entitled to	269
attend school in a particular school district under sections	270
3313.64 and 3313.65 of the Revised Code exceeds the sum of that	271
district's state education aid and its payment under sections	272
321.24 and 323.156 of the Revised Code, the department shall	273
calculate and apply a proration factor to the payments to all	274
community schools under that division for the students entitled	275
to attend school in that district.	276
(8) (a) Subject to division (C) (7) of this section, the	277

department annually shall pay to each community school, 278  
including each internet- or computer-based community school, an 279  
amount equal to the following: 280

(The number of students reported by the community school 281  
under division (B) (2) (e) of this section X the formula amount 282  
X .20) 283

(b) For each payment made to a community school under 284  
division (C) (8) (a) of this section, the department shall deduct 285  
from the state education aid of each city, local, and exempted 286  
village school district and, if necessary, from the payment made 287  
to the district under sections 321.24 and 323.156 of the Revised 288  
Code an amount equal to the following: 289

(The number of the district's students reported by the 290  
community school under division (B) (2) (e) of this section X the 291  
formula amount X .20) 292

(9) The department may waive the requirement in division 293  
(C) (5) of this section for any community school that exclusively 294  
provides one or more career-technical workforce development 295  
programs in arts and communications that are not equipment- 296  
intensive, as determined by the department. 297

(D) A board of education sponsoring a community school may 298  
utilize local funds to make enhancement grants to the school or 299  
may agree, either as part of the contract or separately, to 300  
provide any specific services to the community school at no cost 301  
to the school. 302

(E) A community school may not levy taxes or issue bonds 303  
secured by tax revenues. 304

(F) No community school shall charge tuition for the 305  
enrollment of any student who is a resident of this state. A 306

community school may charge tuition for the enrollment of any 307  
student who is not a resident of this state. 308

(G) (1) (a) A community school may borrow money to pay any 309  
necessary and actual expenses of the school in anticipation of 310  
the receipt of any portion of the payments to be received by the 311  
school pursuant to division (C) of this section. The school may 312  
issue notes to evidence such borrowing. The proceeds of the 313  
notes shall be used only for the purposes for which the 314  
anticipated receipts may be lawfully expended by the school. 315

(b) A school may also borrow money for a term not to 316  
exceed fifteen years for the purpose of acquiring facilities. 317

(2) Except for any amount guaranteed under section 3318.50 318  
of the Revised Code, the state is not liable for debt incurred 319  
by the governing authority of a community school. 320

(H) The department of education shall adjust the amounts 321  
subtracted and paid under division (C) of this section to 322  
reflect any enrollment of students in community schools for less 323  
than the equivalent of a full school year. The state board of 324  
education within ninety days after April 8, 2003, shall adopt in 325  
accordance with Chapter 119. of the Revised Code rules governing 326  
the payments to community schools under this section including 327  
initial payments in a school year and adjustments and reductions 328  
made in subsequent periodic payments to community schools and 329  
corresponding deductions from school district accounts as 330  
provided under division (C) of this section. For purposes of 331  
this section: 332

(1) A student shall be considered enrolled in the 333  
community school for any portion of the school year the student 334  
is participating at a college under Chapter 3365. of the Revised 335

Code. 336

(2) A student shall be considered to be enrolled in a 337  
community school for the period of time beginning on the later 338  
of the date on which the school both has received documentation 339  
of the student's enrollment from a parent and the student has 340  
commenced participation in learning opportunities as defined in 341  
the contract with the sponsor, or thirty days prior to the date 342  
on which the student is entered into the education management 343  
information system established under section 3301.0714 of the 344  
Revised Code. For purposes of applying this division and 345  
divisions (H) (3) and (4) of this section to a community school 346  
student, "learning opportunities" shall be defined in the 347  
contract, which shall describe both classroom-based and non- 348  
classroom-based learning opportunities and shall be in 349  
compliance with criteria and documentation requirements for 350  
student participation which shall be established by the 351  
department, and if applicable, with the requirements of section 352  
3314.272 of the Revised Code. Any student's instruction time in 353  
non-classroom-based learning opportunities shall be certified by 354  
an employee of the community school. A student's enrollment 355  
shall be considered to cease on the date on which any of the 356  
following occur: 357

(a) The community school receives documentation from a 358  
parent terminating enrollment of the student. 359

(b) The community school is provided documentation of a 360  
student's enrollment in another public or private school. 361

(c) The community school ceases to offer learning 362  
opportunities to the student pursuant to the terms of the 363  
contract with the sponsor or the operation of any provision of 364  
this chapter. 365

Except as otherwise specified in this paragraph, beginning 366  
in the 2011-2012 school year, any student who completed the 367  
prior school year in an internet- or computer-based community 368  
school shall be considered to be enrolled in the same school in 369  
the subsequent school year until the student's enrollment has 370  
ceased as specified in division (H) (2) of this section. The 371  
department shall continue subtracting and paying amounts for the 372  
student under division (C) of this section without interruption 373  
at the start of the subsequent school year. However, if the 374  
student without a legitimate excuse fails to participate in the 375  
first one hundred five consecutive hours of learning 376  
opportunities offered to the student in that subsequent school 377  
year, the student shall be considered not to have re-enrolled in 378  
the school for that school year and the department shall 379  
recalculate the payments to the school for that school year to 380  
account for the fact that the student is not enrolled. 381

(3) The department shall determine each community school 382  
student's percentage of full-time equivalency based on the 383  
percentage of learning opportunities offered by the community 384  
school to that student, reported either as number of hours or 385  
number of days, is of the total learning opportunities offered 386  
by the community school to a student who attends for the 387  
school's entire school year. However, no internet- or computer- 388  
based community school shall be credited for any time a student 389  
spends participating in learning opportunities beyond ten hours 390  
within any period of twenty-four consecutive hours. Whether it 391  
reports hours or days of learning opportunities, each community 392  
school shall offer not less than nine hundred twenty hours of 393  
learning opportunities during the school year. 394

(4) With respect to the calculation of full-time 395  
equivalency under division (H) (3) of this section, the 396

department shall waive the number of hours or days of learning 397  
opportunities not offered to a student because the community 398  
school was closed during the school year due to disease 399  
epidemic, hazardous weather conditions, law enforcement 400  
emergencies, inoperability of school buses or other equipment 401  
necessary to the school's operation, damage to a school 402  
building, or other temporary circumstances due to utility 403  
failure rendering the school building unfit for school use, so 404  
long as the school was actually open for instruction with 405  
students in attendance during that school year for not less than 406  
the minimum number of hours required by this chapter. The 407  
department shall treat the school as if it were open for 408  
instruction with students in attendance during the hours or days 409  
waived under this division. 410

(I) The department of education shall reduce the amounts 411  
paid under this section to reflect payments made to colleges 412  
under section 3365.07 of the Revised Code. 413

(J) (1) No student shall be considered enrolled in any 414  
internet- or computer-based community school or, if applicable 415  
to the student, in any community school that is required to 416  
provide the student with a computer pursuant to division (C) of 417  
section 3314.22 of the Revised Code, unless both of the 418  
following conditions are satisfied: 419

(a) The student possesses or has been provided with all 420  
required hardware and software materials and all such materials 421  
are operational so that the student is capable of fully 422  
participating in the learning opportunities specified in the 423  
contract between the school and the school's sponsor as required 424  
by division (A) (23) of section 3314.03 of the Revised Code; 425

(b) The school is in compliance with division (A) of 426

section 3314.22 of the Revised Code, relative to such student. 427

(2) In accordance with policies adopted jointly by the 428  
superintendent of public instruction and the auditor of state, 429  
the department shall reduce the amounts otherwise payable under 430  
division (C) of this section to any community school that 431  
includes in its program the provision of computer hardware and 432  
software materials to any student, if such hardware and software 433  
materials have not been delivered, installed, and activated for 434  
each such student in a timely manner or other educational 435  
materials or services have not been provided according to the 436  
contract between the individual community school and its 437  
sponsor. 438

The superintendent of public instruction and the auditor 439  
of state shall jointly establish a method for auditing any 440  
community school to which this division pertains to ensure 441  
compliance with this section. 442

The superintendent, auditor of state, and the governor 443  
shall jointly make recommendations to the general assembly for 444  
legislative changes that may be required to assure fiscal and 445  
academic accountability for such schools. 446

(3) No student shall be considered enrolled in any 447  
internet- or computer-based community school unless the school 448  
is in compliance with section 3314.272 of the Revised Code. 449

(K) (1) If the department determines that a review of a 450  
community school's enrollment is necessary, such review shall be 451  
completed and written notice of the findings shall be provided 452  
to the governing authority of the community school and its 453  
sponsor within ninety days of the end of the community school's 454  
fiscal year, unless extended for a period not to exceed thirty 455



additional days for one of the following reasons: 456

(a) The department and the community school mutually agree 457  
to the extension. 458

(b) Delays in data submission caused by either a community 459  
school or its sponsor. 460

(2) If the review results in a finding that additional 461  
funding is owed to the school, such payment shall be made within 462  
thirty days of the written notice. If the review results in a 463  
finding that the community school owes moneys to the state, the 464  
following procedure shall apply: 465

(a) Within ten business days of the receipt of the notice 466  
of findings, the community school may appeal the department's 467  
determination to the state board of education or its designee. 468

(b) The board or its designee shall conduct an informal 469  
hearing on the matter within thirty days of receipt of such an 470  
appeal and shall issue a decision within fifteen days of the 471  
conclusion of the hearing. 472

(c) If the board has enlisted a designee to conduct the 473  
hearing, the designee shall certify its decision to the board. 474  
The board may accept the decision of the designee or may reject 475  
the decision of the designee and issue its own decision on the 476  
matter. 477

(d) Any decision made by the board under this division is 478  
final. 479

(3) If it is decided that the community school owes moneys 480  
to the state, the department shall deduct such amount from the 481  
school's future payments in accordance with guidelines issued by 482  
the superintendent of public instruction. 483

(L) The department shall not subtract from a school 484  
district's state aid account and shall not pay to a community 485  
school under division (C) of this section any amount for any of 486  
the following: 487

(1) Any student who has graduated from the twelfth grade 488  
of a public or nonpublic high school; 489

(2) Any student who is not a resident of the state; 490

(3) Any student who was enrolled in the community school 491  
during the previous school year when assessments were 492  
administered under section 3301.0711 of the Revised Code but did 493  
not take one or more of the assessments required by that section 494  
and was not excused pursuant to division (C)(1) or (3) of that 495  
section, unless the superintendent of public instruction grants 496  
the student a waiver from the requirement to take the assessment 497  
and a parent is not paying tuition for the student pursuant to 498  
section 3314.26 of the Revised Code. The superintendent may 499  
grant a waiver only for good cause in accordance with rules 500  
adopted by the state board of education. 501

(4) Any student who has attained the age of twenty-two 502  
years, except for veterans of the armed services whose 503  
attendance was interrupted before completing the recognized 504  
twelve-year course of the public schools by reason of induction 505  
or enlistment in the armed forces and who apply for enrollment 506  
in a community school not later than four years after 507  
termination of war or their honorable discharge. If, however, 508  
any such veteran elects to enroll in special courses organized 509  
for veterans for whom tuition is paid under federal law, or 510  
otherwise, the department shall not subtract from a school 511  
district's state aid account and shall not pay to a community 512  
school under division (C) of this section any amount for that 513

veteran. 514

Sec. 3314.272. (A) Each internet- or computer-based 515  
community school shall monitor and track student attendance, 516  
class size, and participation through the use of software that 517  
automatically verifies student attendance, class size, and 518  
participation. The software used by a school shall do all of 519  
following: 520

(1) Collect and maintain data only in a manner that is 521  
permissible under the "Family Educational Rights and Privacy Act 522  
of 1974," 20 U.S.C. 1232g, as amended, and section 3319.321 of 523  
the Revised Code; 524

(2) Automatically gather verification data of state-funded 525  
activity and track total keystroke and mouse event frequency at 526  
an interval set by the department of education not to exceed 527  
five minutes, and make that data visible to the department and 528  
the auditor of state in real time and upon request; 529

(3) Provide the department and the auditor of state with 530  
real-time access to all of the data and information collected or 531  
provided by the software; 532

(4) Permit the department to provide feedback to the 533  
internet- or computer-based community school regarding the 534  
school's student attendance, class size, and participation 535  
statistics. 536

(B) Each internet- or computer-based community school 537  
shall securely store or contract with an outside entity to 538  
securely store all data collected by the software for a period 539  
of seven school years after the department has remitted payment 540  
to the school in accordance with section 3314.08 of the Revised 541  
Code. 542

If any time during the period of seven school years after 543  
receipt of payment the department or the auditor of state 544  
requests that the internet- or computer-based community school 545  
retrieve data from the software, the school shall comply with 546  
that request and provide the data to the requesting party in the 547  
format requested. A school shall provide the data required under 548  
this division at no cost. 549

(C) (1) Within fifteen days after the effective date of 550  
this section, the department shall publish a process for 551  
certifying software that satisfies the conditions set forth in 552  
this section. 553

(2) Within forty-five days after the effective date of 554  
this section, the department shall publish a list of all 555  
entities that offer software that satisfies the conditions set 556  
forth in this section. The list shall, at all times, be 557  
available to the public in a conspicuous location on the 558  
department's web site. 559

**Section 2.** That existing section 3314.08 of the Revised 560  
Code is hereby repealed. 561