

As Passed by the Senate

132nd General Assembly

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Sub. H. B. No. 69

Representative Cupp

Cosponsors: Representatives Blessing, Dever, Hambley, Hill, Faber, Seitz, Arndt, Carfagna, Anielski, Antonio, Barnes, Brenner, Edwards, Galonski, Ginter, Holmes, Householder, Kent, Manning, O'Brien, Patterson, Patton, Reineke, Riedel, Rogers, Slaby, Sweeney, Thompson, West, Young

Senators Brown, Dolan, Eklund, Hoagland, Huffman, Lehner, Manning, O'Brien, Oelslager, Sykes, Terhar, Wilson, Yuko

A BILL

To amend sections 715.691, 5705.03, 5709.40, 1
5709.634, 5739.021, 5739.023, and 5739.026 of 2
the Revised Code and to amend Sections 387.10 3
and 387.20 of Am. Sub. H.B. 49 of the 132nd 4
General Assembly to require reimbursement of 5
certain township fire and emergency medical 6
service levy revenue forgone because of the 7
creation of a municipal tax increment financing 8
district, to authorize subdivisions to remove 9
territory from existing joint economic 10
development zones (JEDZs), to authorize 11
townships to enter into enterprise zone 12
agreements with retail businesses with the 13
approval of the affected school district, to 14
allow a county or transit authority to levy 15
sales tax in increments of 0.25%, to modify the 16
procedures by which resolutions proposing the 17
levy of property taxes are submitted to 18

electors, and to increase the appropriation for 19
the Medicaid Local Sales Tax Transition Fund. 20

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

Section 1. That sections 715.691, 5705.03, 5709.40, 21
5709.634, 5739.021, 5739.023, and 5739.026 of the Revised Code 22
be amended to read as follows: 23

Sec. 715.691. (A) As used in this section: 24

(1) "Contracting party" means a municipal corporation that 25
has entered into a joint economic development zone contract or 26
any party succeeding to the municipal corporation, or a township 27
that entered into a joint economic development zone contract 28
with a municipal corporation. 29

(2) "Zone" means a joint economic development zone 30
designated under this section. 31

(3) "Substantial amendment" means an amendment to a joint 32
economic development zone contract that increases the rate of 33
municipal income tax that may be imposed within the zone, 34
changes the purposes for which municipal income tax revenue 35
derived from the zone may be used, or ~~changes the area or areas~~ 36
~~included in~~ adds new territory to the zone. 37

(B) This section provides procedures and requirements for 38
creating and operating a joint economic development zone. This 39
section applies only if one of the contracting parties to the 40
zone does not levy a municipal income tax under Chapter 718. of 41
the Revised Code. 42

At any time before January 1, 2015, two or more municipal 43

corporations or one or more townships and one or more municipal 44
corporations may enter into a contract whereby they agree to 45
share in the costs of improvements for an area or areas located 46
in one or more of the contracting parties that they designate as 47
a joint economic development zone for the purpose of 48
facilitating new or expanded growth for commercial or economic 49
development in the state. The contract and zone shall meet the 50
requirements of divisions (B) to (J) of this section. 51

(C) The contract shall set forth each contracting party's 52
contribution to the joint economic development zone. The 53
contributions may be in any form that the contracting parties 54
agree to, and may include, but are not limited to, the provision 55
of services, money, or equipment. The contract may be amended, 56
renewed, or terminated with the consent of the contracting 57
parties, subject to division (K) of this section. The contract 58
shall continue in existence throughout the term it specifies and 59
shall be binding on the contracting parties and on any entities 60
succeeding to the contracting parties. If the contract is 61
approved by the electors of any contracting party under division 62
(F) of this section or substantially amended after the effective 63
date of H.B. 289 of the 130th general assembly, June 5, 2014, 64
the contracting parties shall include within the contract or the 65
amendment to the contract an economic development plan for the 66
zone, a schedule for the implementation or provision of any new, 67
expanded, or additional services, facilities, or improvements 68
within the zone or in the area surrounding the zone, and any 69
provisions necessary for the contracting parties to create a 70
joint economic development review council in compliance with 71
section 715.692 of the Revised Code. 72

(D) Before the legislative authority of any of the 73
contracting parties enacts an ordinance or resolution approving 74

a contract to designate a joint economic development zone, the 75
legislative authority of each of the contracting parties shall 76
hold a public hearing concerning the contract and zone. Each 77
legislative authority shall provide at least thirty days' public 78
notice of the time and place of the public hearing in a 79
newspaper of general circulation in the municipal corporation or 80
township. During the thirty-day period prior to the public 81
hearing, all of the following documents shall be available for 82
public inspection in the office of the clerk of the legislative 83
authority of a municipal corporation that is a contracting party 84
and in the office of the fiscal officer of a township that is a 85
contracting party: 86

(1) A copy of the contract designating the zone; 87

(2) A description of the area or areas to be included in 88
the zone, including a map in sufficient detail to denote the 89
specific boundaries of the area or areas; 90

(3) An economic development plan for the zone that 91
includes a schedule for the provision of any new, expanded, or 92
additional services, facilities, or improvements. 93

A public hearing held under division (D) of this section 94
shall allow for public comment and recommendations on the 95
contract and zone. The contracting parties may include in the 96
contract any of those recommendations prior to approval of the 97
contract. 98

(E) After the public hearings required under division (D) 99
of this section have been held and the economic development plan 100
has been approved under division (D) of section 715.692 of the 101
Revised Code, and before January 1, 2015, each contracting party 102
may enact an ordinance or resolution approving the contract to 103

designate a joint economic development zone. After each 104
contracting party has enacted an ordinance or resolution, the 105
clerk of the legislative authority of a municipal corporation 106
that is a contracting party and the fiscal officer of a township 107
that is a contracting party shall file with the board of 108
elections of each county within which a contracting party is 109
located a copy of the ordinance or resolution approving the 110
contract and shall direct the board of elections to submit the 111
ordinance or resolution to the electors of the contracting party 112
on the day of the next general, primary, or special election 113
occurring at least ninety days after the ordinance or resolution 114
is filed with the board of elections. If any of the contracting 115
parties is a township, however, then only the township or 116
townships shall submit the resolution to the electors. The board 117
of elections shall not submit an ordinance or resolution filed 118
under this division to the electors at any election occurring on 119
or after January 1, 2015. 120

(F) (1) If a vote is required to approve a municipal 121
corporation as a contracting party to a joint economic 122
development zone under this section, the ballot shall be in the 123
following form: 124

"Shall the ordinance of the legislative authority of the 125
(city or village) of (name of contracting party) approving the 126
contract with (name of each other contracting party) for the 127
designation of a joint economic development zone be approved? 128

FOR THE ORDINANCE AND CONTRACT
AGAINST THE ORDINANCE AND CONTRACT

" 132

(2) If a vote is required to approve a township as a contracting party to a joint economic development zone under this section, the ballot shall be in the following form:

"Shall the resolution of the board of township trustees of the township of (name of contracting party) approving the contract with (name of each other contracting party) for the designation of a joint economic development zone be approved?"

FOR THE RESOLUTION AND CONTRACT
AGAINST THE RESOLUTION AND CONTRACT

"

If a majority of the electors of each contracting party voting on the issue vote for the ordinance or resolution and contract, the ordinance or resolution shall become effective immediately and the contract shall go into effect immediately or in accordance with its terms.

(G) (1) A board of directors shall govern each joint economic development zone created under this section. The members of the board shall be appointed as provided in the contract. Each of the contracting parties shall appoint three members to the board. Terms for each member shall be for two years, each term ending on the same day of the month of the year as did the term that it succeeds. A member may be reappointed to the board.

(2) Membership on the board is not the holding of a public office or employment within the meaning of any section of the Revised Code or any charter provision prohibiting the holding of other public office or employment. Membership on the board is not a direct or indirect interest in a contract or expenditure

of money by a municipal corporation, township, county, or other 162
political subdivision with which a member may be affiliated. 163
Notwithstanding any provision of law or a charter to the 164
contrary, no member of the board shall forfeit or be 165
disqualified from holding any public office or employment by 166
reason of membership on the board. 167

(3) The board is a public body for the purposes of section 168
121.22 of the Revised Code. Chapter 2744. of the Revised Code 169
applies to the board and the zone. 170

(H) The contract may grant to the board of directors 171
appointed under division (G) of this section the power to adopt 172
a resolution to levy an income tax within the zone. The income 173
tax shall be used for the purposes of the zone and for the 174
purposes of the contracting parties pursuant to the contract. 175
Not less than fifty per cent of the revenue from the tax shall 176
be used solely to provide the new, expanded, or additional 177
services, facilities, or improvements specified in the economic 178
development plan until all such services, facilities, or 179
improvements have been completed as specified in that plan. The 180
income tax may be levied in the zone based on income earned by 181
persons working within the zone and on the net profits of 182
businesses located in the zone. The income tax is subject to 183
Chapter 718. of the Revised Code, except that a vote shall be 184
required by the electors residing in the zone to approve the 185
rate of income tax unless a majority of the electors residing 186
within the zone, as determined by the total number of votes cast 187
in the zone for the office of governor at the most recent 188
general election for that office, submit a petition to the board 189
requesting that the election provided for in division (H)(1) of 190
this section not be held. If no electors reside within the zone, 191
then division (H)(3) of this section applies. The rate of the 192

income tax shall be no higher than the highest rate being levied 193
by a municipal corporation that is a party to the contract. 194

(1) The board of directors may levy an income tax at a 195
rate that is not higher than the highest rate being levied by a 196
municipal corporation that is a party to the contract, provided 197
that the rate of the income tax is first submitted to and 198
approved by the electors of the zone at the succeeding regular 199
or primary election, or a special election called by the board, 200
occurring subsequent to ninety days after a certified copy of 201
the resolution levying the income tax and calling for the 202
election is filed with the board of elections. If the voters 203
approve the levy of the income tax, the income tax shall be in 204
force for the full period of the contract establishing the zone. 205
No election shall be held under this section if a majority of 206
the electors residing within the zone, determined as specified 207
in division (H) of this section, submit a petition to that 208
effect to the board of directors. Any increase in the rate of an 209
income tax by the board of directors shall be approved by a vote 210
of the electors of the zone and shall be in force for the 211
remaining period of the contract establishing the zone. 212

(2) Whenever a zone is located in the territory of more 213
than one contracting party, a majority vote of the electors in 214
each of the several portions of the territory of the contracting 215
parties constituting the zone approving the levy of the tax is 216
required before it may be imposed under division (H) of this 217
section. 218

(3) If no electors reside in the zone, no election for the 219
approval or rejection of an income tax shall be held under this 220
section, provided that where no electors reside in the zone, the 221
rate of the income tax shall be no higher than the highest rate 222

being levied by a municipal corporation that is a party to the 223
contract. 224

(4) The board of directors of a zone levying an income tax 225
shall enter into an agreement with one of the municipal 226
corporations that is a party to the contract to administer, 227
collect, and enforce the income tax on behalf of the zone. 228

(5) The board of directors of a zone shall publish or post 229
public notice within the zone of any resolution adopted levying 230
an income tax in the same manner required of municipal 231
corporations under sections 731.21 and 731.25 of the Revised 232
Code. 233

(I) (1) If for any reason a contracting party reverts to or 234
has its boundaries changed so that it is classified as a 235
township that is the entity succeeding to that contracting 236
party, the township is considered to be a municipal corporation 237
for the purposes of the contract for the full period of the 238
contract establishing the joint economic development zone, 239
except that if that contracting party is administering, 240
collecting, and enforcing the income tax on behalf of the 241
district as provided in division (H) (4) of this section, the 242
contract shall be amended to allow one of the other contracting 243
parties to administer, collect, and enforce that tax. 244

(2) Notwithstanding any other section of the Revised Code, 245
if there is any change in the boundaries of a township so that a 246
municipal corporation once located within the township is no 247
longer so located, the township shall remain in existence even 248
though its remaining unincorporated area contains less than 249
twenty-two square miles, if the township has been or becomes a 250
party to a contract creating a joint economic development zone 251
under this section or the contract creating that joint economic 252

development zone under this section is terminated or repudiated 253
for any reason by any party or person. The township shall 254
continue its existing status in all respects, including having 255
the same form of government and the same elected board of 256
trustees as its governing body. The township shall continue to 257
receive all of its tax levies and sources of income as a 258
township in accordance with any section of the Revised Code, 259
whether the levies and sources of income generate millage within 260
the ten-mill limitation or in excess of the ten-mill limitation. 261
The name of the township may be changed to the name of the 262
contracting party appearing in the contract creating a joint 263
economic development zone under this section, so long as the 264
name does not conflict with any other name in the state that has 265
been certified by the secretary of state. The township shall 266
have all of the powers set out in sections 715.79, 715.80, and 267
715.81 of the Revised Code. 268

(J) If, after creating and operating a joint economic 269
development zone under this section, a contracting party that 270
did not levy a municipal income tax under Chapter 718. of the 271
Revised Code levies such a tax, the tax shall not apply to the 272
zone for the full period of the contract establishing the zone 273
if the board of directors of the zone has levied an income tax 274
as provided in division (H) of this section. 275

(K) No substantial amendment may be made to any joint 276
economic development zone contract after December 31, 2014. 277

Sec. 5705.03. (A) The taxing authority of each subdivision 278
may levy taxes annually, subject to the limitations of sections 279
5705.01 to 5705.47 of the Revised Code, on the real and personal 280
property within the subdivision for the purpose of paying the 281
current operating expenses of the subdivision and acquiring or 282

constructing permanent improvements. The taxing authority of 283
each subdivision and taxing unit shall, subject to the 284
limitations of such sections, levy such taxes annually as are 285
necessary to pay the interest and sinking fund on and retire at 286
maturity the bonds, notes, and certificates of indebtedness of 287
such subdivision and taxing unit, including levies in 288
anticipation of which the subdivision or taxing unit has 289
incurred indebtedness. 290

(B) (1) When a taxing authority determines that it is 291
necessary to levy a tax outside the ten-mill limitation for any 292
purpose authorized by the Revised Code, the taxing authority 293
shall certify to the county auditor a resolution or ordinance 294
requesting that the county auditor certify to the taxing 295
authority the total current tax valuation of the subdivision, 296
and the number of mills required to generate a specified amount 297
of revenue, or the dollar amount of revenue that would be 298
generated by a specified number of mills. The resolution or 299
ordinance shall state all of the following: 300

(a) The purpose of the tax; 301

(b) Whether the tax is an additional levy, a renewal or a 302
replacement of an existing tax, or a renewal or replacement of 303
an existing tax with an increase or a decrease; 304

(c) The section of the Revised Code authorizing submission 305
of the question of the tax; 306

(d) The term of years of the tax or if the tax is for a 307
continuing period of time; 308

(e) That the tax is to be levied upon the entire territory 309
of the subdivision or, if authorized by the Revised Code, a 310
description of the portion of the territory of the subdivision 311

in which the tax is to be levied; 312

(f) The date of the election at which the question of the 313
tax shall appear on the ballot; 314

(g) That the ballot measure shall be submitted to the 315
entire territory of the subdivision or, if authorized by the 316
Revised Code, a description of the portion of the territory of 317
the subdivision to which the ballot measure shall be submitted; 318

(h) The tax year in which the tax will first be levied and 319
the calendar year in which the tax will first be collected; 320

(i) Each such county in which the subdivision has 321
territory. 322

If a subdivision is located in more than one county, the 323
county auditor shall obtain from the county auditor of each 324
other county in which the subdivision is located the current tax 325
valuation for the portion of the subdivision in that county. The 326
county auditor shall issue the certification to the taxing 327
authority within ten days after receiving the taxing authority's 328
resolution or ordinance requesting it. 329

(2) When considering the tangible personal property 330
component of the tax valuation of the subdivision, the county 331
auditor shall take into account the assessment percentages 332
prescribed in section 5711.22 of the Revised Code. The tax 333
commissioner may issue rules, orders, or instructions directing 334
how the assessment percentages must be utilized. 335

(3) Upon receiving the certification from the county 336
auditor, the taxing authority may adopt a resolution or 337
ordinance stating the rate of the tax levy, expressed in mills 338
for each one dollar in tax valuation as estimated by the county 339
auditor, and that the taxing authority will proceed with the 340

submission of the question of the tax to electors. The taxing 341
authority shall certify this resolution or ordinance, a copy of 342
the county auditor's certification, and the resolution or 343
ordinance the taxing authority adopted under division (B) (1) of 344
this section ~~to the county auditor and~~ to the proper county 345
board of elections in the manner and within the time prescribed 346
by the section of the Revised Code governing submission of the 347
question. The county board of elections shall not submit the 348
question of the tax to electors unless a copy of the county 349
auditor's certification accompanies the resolutions or 350
ordinances the taxing authority certifies to the board. Before 351
requesting a taxing authority to submit a tax levy, any agency 352
or authority authorized to make that request shall first request 353
the certification from the county auditor provided under this 354
section. 355

(4) This division is supplemental to, and not in 356
derogation of, any similar requirement governing the 357
certification by the county auditor of the tax valuation of a 358
subdivision or necessary tax rates for the purposes of the 359
submission of the question of a tax in excess of the ten-mill 360
limitation, including sections 133.18 and 5705.195 of the 361
Revised Code. 362

(C) All taxes levied on property shall be extended on the 363
tax list and duplicate by the county auditor of the county in 364
which the property is located, and shall be collected by the 365
county treasurer of such county in the same manner and under the 366
same laws and rules as are prescribed for the assessment and 367
collection of county taxes. The proceeds of any tax levied by or 368
for any subdivision when received by its fiscal officer shall be 369
deposited in its treasury to the credit of the appropriate fund. 370

Sec. 5709.40. (A) As used in this section:	371
(1) "Blighted area" and "impacted city" have the same meanings as in section 1728.01 of the Revised Code.	372 373
(2) "Business day" means a day of the week excluding Saturday, Sunday, and a legal holiday as defined under section 1.14 of the Revised Code.	374 375 376
(3) "Housing renovation" means a project carried out for residential purposes.	377 378
(4) "Improvement" means the increase in the assessed value of any real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of an ordinance adopted under this section were it not for the exemption granted by that ordinance.	379 380 381 382 383
(5) "Incentive district" means an area not more than three hundred acres in size enclosed by a continuous boundary in which a project is being, or will be, undertaken and having one or more of the following distress characteristics:	384 385 386 387
(a) At least fifty-one per cent of the residents of the district have incomes of less than eighty per cent of the median income of residents of the political subdivision in which the district is located, as determined in the same manner specified under section 119(b) of the "Housing and Community Development Act of 1974," 88 Stat. 633, 42 U.S.C. 5318, as amended;	388 389 390 391 392 393
(b) The average rate of unemployment in the district during the most recent twelve-month period for which data are available is equal to at least one hundred fifty per cent of the average rate of unemployment for this state for the same period.	394 395 396 397
(c) At least twenty per cent of the people residing in the	398

district live at or below the poverty level as defined in the 399
federal Housing and Community Development Act of 1974, 42 U.S.C. 400
5301, as amended, and regulations adopted pursuant to that act. 401

(d) The district is a blighted area. 402

(e) The district is in a situational distress area as 403
designated by the director of development services under 404
division (F) of section 122.23 of the Revised Code. 405

(f) As certified by the engineer for the political 406
subdivision, the public infrastructure serving the district is 407
inadequate to meet the development needs of the district as 408
evidenced by a written economic development plan or urban 409
renewal plan for the district that has been adopted by the 410
legislative authority of the subdivision. 411

(g) The district is comprised entirely of unimproved land 412
that is located in a distressed area as defined in section 413
122.23 of the Revised Code. 414

(6) "Project" means development activities undertaken on 415
one or more parcels, including, but not limited to, 416
construction, expansion, and alteration of buildings or 417
structures, demolition, remediation, and site development, and 418
any building or structure that results from those activities. 419

(7) "Public infrastructure improvement" includes, but is 420
not limited to, public roads and highways; water and sewer 421
lines; the continued maintenance of those public roads and 422
highways and water and sewer lines; environmental remediation; 423
land acquisition, including acquisition in aid of industry, 424
commerce, distribution, or research; demolition, including 425
demolition on private property when determined to be necessary 426
for economic development purposes; stormwater and flood 427

remediation projects, including such projects on private 428
property when determined to be necessary for public health, 429
safety, and welfare; the provision of gas, electric, and 430
communications service facilities, including the provision of 431
gas or electric service facilities owned by nongovernmental 432
entities when such improvements are determined to be necessary 433
for economic development purposes; and the enhancement of public 434
waterways through improvements that allow for greater public 435
access. 436

(B) The legislative authority of a municipal corporation, 437
by ordinance, may declare improvements to certain parcels of 438
real property located in the municipal corporation to be a 439
public purpose. Improvements with respect to a parcel that is 440
used or to be used for residential purposes may be declared a 441
public purpose under this division only if the parcel is located 442
in a blighted area of an impacted city. For this purpose, 443
"parcel that is used or to be used for residential purposes" 444
means a parcel that, as improved, is used or to be used for 445
purposes that would cause the tax commissioner to classify the 446
parcel as residential property in accordance with rules adopted 447
by the commissioner under section 5713.041 of the Revised Code. 448
Except with the approval under division (D) of this section of 449
the board of education of each city, local, or exempted village 450
school district within which the improvements are located, not 451
more than seventy-five per cent of an improvement thus declared 452
to be a public purpose may be exempted from real property 453
taxation for a period of not more than ten years. The ordinance 454
shall specify the percentage of the improvement to be exempted 455
from taxation and the life of the exemption. 456

An ordinance adopted or amended under this division shall 457
designate the specific public infrastructure improvements made, 458

to be made, or in the process of being made by the municipal 459
corporation that directly benefit, or that once made will 460
directly benefit, the parcels for which improvements are 461
declared to be a public purpose. The service payments provided 462
for in section 5709.42 of the Revised Code shall be used to 463
finance the public infrastructure improvements designated in the 464
ordinance, for the purpose described in division (D) (1) of this 465
section or as provided in section 5709.43 of the Revised Code. 466

(C) (1) The legislative authority of a municipal 467
corporation may adopt an ordinance creating an incentive 468
district and declaring improvements to parcels within the 469
district to be a public purpose and, except as provided in 470
division (F) of this section, exempt from taxation as provided 471
in this section, but no legislative authority of a municipal 472
corporation that has a population that exceeds twenty-five 473
thousand, as shown by the most recent federal decennial census, 474
shall adopt an ordinance that creates an incentive district if 475
the sum of the taxable value of real property in the proposed 476
district for the preceding tax year and the taxable value of all 477
real property in the municipal corporation that would have been 478
taxable in the preceding year were it not for the fact that the 479
property was in an existing incentive district and therefore 480
exempt from taxation exceeds twenty-five per cent of the taxable 481
value of real property in the municipal corporation for the 482
preceding tax year. The ordinance shall delineate the boundary 483
of the district and specifically identify each parcel within the 484
district. A district may not include any parcel that is or has 485
been exempted from taxation under division (B) of this section 486
or that is or has been within another district created under 487
this division. An ordinance may create more than one such 488
district, and more than one ordinance may be adopted under 489

division (C) (1) of this section. 490

(2) Not later than thirty days prior to adopting an 491
ordinance under division (C) (1) of this section, if the 492
municipal corporation intends to apply for exemptions from 493
taxation under section 5709.911 of the Revised Code on behalf of 494
owners of real property located within the proposed incentive 495
district, the legislative authority of a municipal corporation 496
shall conduct a public hearing on the proposed ordinance. Not 497
later than thirty days prior to the public hearing, the 498
legislative authority shall give notice of the public hearing 499
and the proposed ordinance by first class mail to every real 500
property owner whose property is located within the boundaries 501
of the proposed incentive district that is the subject of the 502
proposed ordinance. 503

(3) (a) An ordinance adopted under division (C) (1) of this 504
section shall specify the life of the incentive district and the 505
percentage of the improvements to be exempted, shall designate 506
the public infrastructure improvements made, to be made, or in 507
the process of being made, that benefit or serve, or, once made, 508
will benefit or serve parcels in the district. The ordinance 509
also shall identify one or more specific projects being, or to 510
be, undertaken in the district that place additional demand on 511
the public infrastructure improvements designated in the 512
ordinance. The project identified may, but need not be, the 513
project under division (C) (3) (b) of this section that places 514
real property in use for commercial or industrial purposes. 515
Except as otherwise permitted under that division, the service 516
payments provided for in section 5709.42 of the Revised Code 517
shall be used to finance the designated public infrastructure 518
improvements, for the purpose described in division (D) (1) ~~or~~, 519
(E), or (F) of this section, or as provided in section 5709.43 520

of the Revised Code. 521

An ordinance adopted under division (C)(1) of this section 522
on or after March 30, 2006, shall not designate police or fire 523
equipment as public infrastructure improvements, and no service 524
payment provided for in section 5709.42 of the Revised Code and 525
received by the municipal corporation under the ordinance shall 526
be used for police or fire equipment. 527

(b) An ordinance adopted under division (C)(1) of this 528
section may authorize the use of service payments provided for 529
in section 5709.42 of the Revised Code for the purpose of 530
housing renovations within the incentive district, provided that 531
the ordinance also designates public infrastructure improvements 532
that benefit or serve the district, and that a project within 533
the district places real property in use for commercial or 534
industrial purposes. Service payments may be used to finance or 535
support loans, deferred loans, and grants to persons for the 536
purpose of housing renovations within the district. The 537
ordinance shall designate the parcels within the district that 538
are eligible for housing renovation. The ordinance shall state 539
separately the amounts or the percentages of the expected 540
aggregate service payments that are designated for each public 541
infrastructure improvement and for the general purpose of 542
housing renovations. 543

(4) Except with the approval of the board of education of 544
each city, local, or exempted village school district within the 545
territory of which the incentive district is or will be located, 546
and subject to division (E) of this section, the life of an 547
incentive district shall not exceed ten years, and the 548
percentage of improvements to be exempted shall not exceed 549
seventy-five per cent. With approval of the board of education, 550

the life of a district may be not more than thirty years, and 551
the percentage of improvements to be exempted may be not more 552
than one hundred per cent. The approval of a board of education 553
shall be obtained in the manner provided in division (D) of this 554
section. 555

(D) (1) If the ordinance declaring improvements to a parcel 556
to be a public purpose or creating an incentive district 557
specifies that payments in lieu of taxes provided for in section 558
5709.42 of the Revised Code shall be paid to the city, local, or 559
exempted village, and joint vocational school district in which 560
the parcel or incentive district is located in the amount of the 561
taxes that would have been payable to the school district if the 562
improvements had not been exempted from taxation, the percentage 563
of the improvement that may be exempted from taxation may exceed 564
seventy-five per cent, and the exemption may be granted for up 565
to thirty years, without the approval of the board of education 566
as otherwise required under division (D) (2) of this section. 567

(2) Improvements with respect to a parcel may be exempted 568
from taxation under division (B) of this section, and 569
improvements to parcels within an incentive district may be 570
exempted from taxation under division (C) of this section, for 571
up to ten years or, with the approval under this paragraph of 572
the board of education of the city, local, or exempted village 573
school district within which the parcel or district is located, 574
for up to thirty years. The percentage of the improvement 575
exempted from taxation may, with such approval, exceed seventy- 576
five per cent, but shall not exceed one hundred per cent. Not 577
later than forty-five business days prior to adopting an 578
ordinance under this section declaring improvements to be a 579
public purpose that is subject to approval by a board of 580
education under this division, the legislative authority shall 581

deliver to the board of education a notice stating its intent to 582
adopt an ordinance making that declaration. The notice regarding 583
improvements with respect to a parcel under division (B) of this 584
section shall identify the parcels for which improvements are to 585
be exempted from taxation, provide an estimate of the true value 586
in money of the improvements, specify the period for which the 587
improvements would be exempted from taxation and the percentage 588
of the improvement that would be exempted, and indicate the date 589
on which the legislative authority intends to adopt the 590
ordinance. The notice regarding improvements to parcels within 591
an incentive district under division (C) of this section shall 592
delineate the boundaries of the district, specifically identify 593
each parcel within the district, identify each anticipated 594
improvement in the district, provide an estimate of the true 595
value in money of each such improvement, specify the life of the 596
district and the percentage of improvements that would be 597
exempted, and indicate the date on which the legislative 598
authority intends to adopt the ordinance. The board of 599
education, by resolution adopted by a majority of the board, may 600
approve the exemption for the period or for the exemption 601
percentage specified in the notice; may disapprove the exemption 602
for the number of years in excess of ten, may disapprove the 603
exemption for the percentage of the improvement to be exempted 604
in excess of seventy-five per cent, or both; or may approve the 605
exemption on the condition that the legislative authority and 606
the board negotiate an agreement providing for compensation to 607
the school district equal in value to a percentage of the amount 608
of taxes exempted in the eleventh and subsequent years of the 609
exemption period or, in the case of exemption percentages in 610
excess of seventy-five per cent, compensation equal in value to 611
a percentage of the taxes that would be payable on the portion 612
of the improvement in excess of seventy-five per cent were that 613

portion to be subject to taxation, or other mutually agreeable 614
compensation. If an agreement is negotiated between the 615
legislative authority and the board to compensate the school 616
district for all or part of the taxes exempted, including 617
agreements for payments in lieu of taxes under section 5709.42 618
of the Revised Code, the legislative authority shall compensate 619
the joint vocational school district within which the parcel or 620
district is located at the same rate and under the same terms 621
received by the city, local, or exempted village school 622
district. 623

(3) The board of education shall certify its resolution to 624
the legislative authority not later than fourteen days prior to 625
the date the legislative authority intends to adopt the 626
ordinance as indicated in the notice. If the board of education 627
and the legislative authority negotiate a mutually acceptable 628
compensation agreement, the ordinance may declare the 629
improvements a public purpose for the number of years specified 630
in the ordinance or, in the case of exemption percentages in 631
excess of seventy-five per cent, for the exemption percentage 632
specified in the ordinance. In either case, if the board and the 633
legislative authority fail to negotiate a mutually acceptable 634
compensation agreement, the ordinance may declare the 635
improvements a public purpose for not more than ten years, and 636
shall not exempt more than seventy-five per cent of the 637
improvements from taxation. If the board fails to certify a 638
resolution to the legislative authority within the time 639
prescribed by this division, the legislative authority thereupon 640
may adopt the ordinance and may declare the improvements a 641
public purpose for up to thirty years, or, in the case of 642
exemption percentages proposed in excess of seventy-five per 643
cent, for the exemption percentage specified in the ordinance. 644

The legislative authority may adopt the ordinance at any time 645
after the board of education certifies its resolution approving 646
the exemption to the legislative authority, or, if the board 647
approves the exemption on the condition that a mutually 648
acceptable compensation agreement be negotiated, at any time 649
after the compensation agreement is agreed to by the board and 650
the legislative authority. 651

(4) If a board of education has adopted a resolution 652
waiving its right to approve exemptions from taxation under this 653
section and the resolution remains in effect, approval of 654
exemptions by the board is not required under division (D) of 655
this section. If a board of education has adopted a resolution 656
allowing a legislative authority to deliver the notice required 657
under division (D) of this section fewer than forty-five 658
business days prior to the legislative authority's adoption of 659
the ordinance, the legislative authority shall deliver the 660
notice to the board not later than the number of days prior to 661
such adoption as prescribed by the board in its resolution. If a 662
board of education adopts a resolution waiving its right to 663
approve agreements or shortening the notification period, the 664
board shall certify a copy of the resolution to the legislative 665
authority. If the board of education rescinds such a resolution, 666
it shall certify notice of the rescission to the legislative 667
authority. 668

(5) If the legislative authority is not required by 669
division (D) of this section to notify the board of education of 670
the legislative authority's intent to declare improvements to be 671
a public purpose, the legislative authority shall comply with 672
the notice requirements imposed under section 5709.83 of the 673
Revised Code, unless the board has adopted a resolution under 674
that section waiving its right to receive such a notice. 675

(E) (1) If a proposed ordinance under division (C) (1) of 676
this section exempts improvements with respect to a parcel 677
within an incentive district for more than ten years, or the 678
percentage of the improvement exempted from taxation exceeds 679
seventy-five per cent, not later than forty-five business days 680
prior to adopting the ordinance the legislative authority of the 681
municipal corporation shall deliver to the board of county 682
commissioners of the county within which the incentive district 683
will be located a notice that states its intent to adopt an 684
ordinance creating an incentive district. The notice shall 685
include a copy of the proposed ordinance, identify the parcels 686
for which improvements are to be exempted from taxation, provide 687
an estimate of the true value in money of the improvements, 688
specify the period of time for which the improvements would be 689
exempted from taxation, specify the percentage of the 690
improvements that would be exempted from taxation, and indicate 691
the date on which the legislative authority intends to adopt the 692
ordinance. 693

(2) The board of county commissioners, by resolution 694
adopted by a majority of the board, may object to the exemption 695
for the number of years in excess of ten, may object to the 696
exemption for the percentage of the improvement to be exempted 697
in excess of seventy-five per cent, or both. If the board of 698
county commissioners objects, the board may negotiate a mutually 699
acceptable compensation agreement with the legislative 700
authority. In no case shall the compensation provided to the 701
board exceed the property taxes forgone due to the exemption. If 702
the board of county commissioners objects, and the board and 703
legislative authority fail to negotiate a mutually acceptable 704
compensation agreement, the ordinance adopted under division (C) 705
(1) of this section shall provide to the board compensation in 706

the eleventh and subsequent years of the exemption period equal 707
in value to not more than fifty per cent of the taxes that would 708
be payable to the county or, if the board's objection includes 709
an objection to an exemption percentage in excess of seventy- 710
five per cent, compensation equal in value to not more than 711
fifty per cent of the taxes that would be payable to the county, 712
on the portion of the improvement in excess of seventy-five per 713
cent, were that portion to be subject to taxation. The board of 714
county commissioners shall certify its resolution to the 715
legislative authority not later than thirty days after receipt 716
of the notice. 717

(3) If the board of county commissioners does not object 718
or fails to certify its resolution objecting to an exemption 719
within thirty days after receipt of the notice, the legislative 720
authority may adopt the ordinance, and no compensation shall be 721
provided to the board of county commissioners. If the board 722
timely certifies its resolution objecting to the ordinance, the 723
legislative authority may adopt the ordinance at any time after 724
a mutually acceptable compensation agreement is agreed to by the 725
board and the legislative authority, or, if no compensation 726
agreement is negotiated, at any time after the legislative 727
authority agrees in the proposed ordinance to provide 728
compensation to the board of fifty per cent of the taxes that 729
would be payable to the county in the eleventh and subsequent 730
years of the exemption period or on the portion of the 731
improvement in excess of seventy-five per cent, were that 732
portion to be subject to taxation. 733

(F) Service payments in lieu of taxes that are 734
attributable to any amount by which the effective tax rate of 735
either a renewal levy with an increase or a replacement levy 736
exceeds the effective tax rate of the levy renewed or replaced, 737

or that are attributable to an additional levy, for a levy 738
authorized by the voters for any of the following purposes on or 739
after January 1, 2006, and which are provided pursuant to an 740
ordinance creating an incentive district under division (C) (1) 741
of this section that is adopted on or after January 1, 2006 or a 742
later date as specified in this division, shall be distributed 743
to the appropriate taxing authority as required under division 744
(C) of section 5709.42 of the Revised Code in an amount equal to 745
the amount of taxes from that additional levy or from the 746
increase in the effective tax rate of such renewal or 747
replacement levy that would have been payable to that taxing 748
authority from the following levies were it not for the 749
exemption authorized under division (C) of this section: 750

(1) A tax levied under division (L) of section 5705.19 or 751
section 5705.191 or 5705.222 of the Revised Code for community 752
developmental disabilities programs and services pursuant to 753
Chapter 5126. of the Revised Code; 754

(2) A tax levied under division (Y) of section 5705.19 of 755
the Revised Code for providing or maintaining senior citizens 756
services or facilities; 757

(3) A tax levied under section 5705.22 of the Revised Code 758
for county hospitals; 759

(4) A tax levied by a joint-county district or by a county 760
under section 5705.19, 5705.191, or 5705.221 of the Revised Code 761
for alcohol, drug addiction, and mental health services or 762
facilities; 763

(5) A tax levied under section 5705.23 of the Revised Code 764
for library purposes; 765

(6) A tax levied under section 5705.24 of the Revised Code 766

for the support of children services and the placement and care of children;	767 768
(7) A tax levied under division (Z) of section 5705.19 of the Revised Code for the provision and maintenance of zoological park services and facilities under section 307.76 of the Revised Code;	769 770 771 772
(8) A tax levied under section 511.27 or division (H) of section 5705.19 of the Revised Code for the support of township park districts;	773 774 775
(9) A tax levied under division (A), (F), or (H) of section 5705.19 of the Revised Code for parks and recreational purposes of a joint recreation district organized pursuant to division (B) of section 755.14 of the Revised Code;	776 777 778 779
(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;	780 781
(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;	782 783 784 785 786
(12) A tax levied under section 3709.29 of the Revised Code for a general health district program;	787 788
<u>(13) A tax levied by a township under section 505.39, division (I) of section 5705.19, or division (JJ) of section 5705.19 of the Revised Code to the extent the proceeds are used for the purposes described in division (I) of that section, for the purpose of funding fire, emergency medical, and ambulance services as described in that section and those divisions. Division (F) (13) of this section applies only if the township</u>	789 790 791 792 793 794 795

levying the tax provides fire, emergency medical, or ambulance 796
services in the incentive district, and only to incentive 797
districts created by an ordinance adopted on or after the 798
effective date of the amendment of this section by H.B. 69 of 799
the 132nd general assembly. The board of township trustees may, 800
by resolution, waive the application of this division or 801
negotiate with the municipal corporation that created the 802
district for a lesser amount of payments in lieu of taxes. 803

(G) An exemption from taxation granted under this section 804
commences with the tax year specified in the ordinance so long 805
as the year specified in the ordinance commences after the 806
effective date of the ordinance. If the ordinance specifies a 807
year commencing before the effective date of the resolution or 808
specifies no year whatsoever, the exemption commences with the 809
tax year in which an exempted improvement first appears on the 810
tax list and duplicate of real and public utility property and 811
that commences after the effective date of the ordinance. In 812
lieu of stating a specific year, the ordinance may provide that 813
the exemption commences in the tax year in which the value of an 814
improvement exceeds a specified amount or in which the 815
construction of one or more improvements is completed, provided 816
that such tax year commences after the effective date of the 817
ordinance. With respect to the exemption of improvements to 818
parcels under division (B) of this section, the ordinance may 819
allow for the exemption to commence in different tax years on a 820
parcel-by-parcel basis, with a separate exemption term specified 821
for each parcel. 822

Except as otherwise provided in this division, the 823
exemption ends on the date specified in the ordinance as the 824
date the improvement ceases to be a public purpose or the 825
incentive district expires, or ends on the date on which the 826

public infrastructure improvements and housing renovations are 827
paid in full from the municipal public improvement tax increment 828
equivalent fund established under division (A) of section 829
5709.43 of the Revised Code, whichever occurs first. The 830
exemption of an improvement with respect to a parcel or within 831
an incentive district may end on a later date, as specified in 832
the ordinance, if the legislative authority and the board of 833
education of the city, local, or exempted village school 834
district within which the parcel or district is located have 835
entered into a compensation agreement under section 5709.82 of 836
the Revised Code with respect to the improvement, and the board 837
of education has approved the term of the exemption under 838
division (D) (2) of this section, but in no case shall the 839
improvement be exempted from taxation for more than thirty 840
years. Exemptions shall be claimed and allowed in the same 841
manner as in the case of other real property exemptions. If an 842
exemption status changes during a year, the procedure for the 843
apportionment of the taxes for that year is the same as in the 844
case of other changes in tax exemption status during the year. 845

(H) Additional municipal financing of public 846
infrastructure improvements and housing renovations may be 847
provided by any methods that the municipal corporation may 848
otherwise use for financing such improvements or renovations. If 849
the municipal corporation issues bonds or notes to finance the 850
public infrastructure improvements and housing renovations and 851
pledges money from the municipal public improvement tax 852
increment equivalent fund to pay the interest on and principal 853
of the bonds or notes, the bonds or notes are not subject to 854
Chapter 133. of the Revised Code. 855

(I) The municipal corporation, not later than fifteen days 856
after the adoption of an ordinance under this section, shall 857

submit to the director of development services a copy of the 858
ordinance. On or before the thirty-first day of March of each 859
year, the municipal corporation shall submit a status report to 860
the director of development services. The report shall indicate, 861
in the manner prescribed by the director, the progress of the 862
project during each year that an exemption remains in effect, 863
including a summary of the receipts from service payments in 864
lieu of taxes; expenditures of money from the funds created 865
under section 5709.43 of the Revised Code; a description of the 866
public infrastructure improvements and housing renovations 867
financed with such expenditures; and a quantitative summary of 868
changes in employment and private investment resulting from each 869
project. 870

(J) Nothing in this section shall be construed to prohibit 871
a legislative authority from declaring to be a public purpose 872
improvements with respect to more than one parcel. 873

(K) If a parcel is located in a new community district in 874
which the new community authority imposes a community 875
development charge on the basis of rentals received from leases 876
of real property as described in division (L) (2) of section 877
349.01 of the Revised Code, the parcel may not be exempted from 878
taxation under this section. 879

Sec. 5709.634. A municipal corporation or county ~~that~~ 880
~~seeks to~~, or a township to which authority has been delegated 881
under division (G) of section 5709.63 of the Revised Code, may 882
enter an agreement under section 5709.62, 5709.63, or 5709.632 883
of the Revised Code with an enterprise respecting a place of 884
business used primarily for making retail sales ~~may petition if~~ 885
the board of education of each city, local, or exempted village 886
school district within the territory of which that place of 887

business is located ~~to waive~~ adopts a resolution, approved by 888
the majority of the board members, waiving the retail facilities 889
exclusion under division (C) of section 5709.61 of the Revised 890
Code with respect to that place of business. ~~The exclusion shall~~ 891
~~be waived if each such board of education adopts a resolution~~ 892
~~approved by the majority of the board members approving the~~ 893
~~petition.~~ Unless otherwise provided in its resolution, a board 894
of education does not waive its right to approve or reject 895
agreements or to receive notice under section 5709.62, 5709.63, 896
or 5709.632 of the Revised Code by ~~approving a petition waiving~~ 897
the retail facilities exclusion under this section. 898

Sec. 5739.021. (A) For the purpose of providing additional 899
general revenues for the county, supporting criminal and 900
administrative justice services in the county, funding a 901
regional transportation improvement project under section 902
5595.06 of the Revised Code, or any combination of the 903
foregoing, and to pay the expenses of administering such levy, 904
any county may levy a tax at the rate of not more than one per 905
cent ~~at any multiple of one-tenth of one per cent~~ upon every 906
retail sale made in the county, except sales of watercraft and 907
outboard motors required to be titled pursuant to Chapter 1548. 908
of the Revised Code and sales of motor vehicles, and may 909
increase the rate of an existing tax to not more than one per 910
cent ~~at any.~~ The rate of any tax levied pursuant to this 911
section shall be a multiple of one-fourth or one-tenth of one 912
per cent. 913

The tax shall be levied and the rate increased pursuant to 914
a resolution of the board of county commissioners. The 915
resolution shall state the purpose for which the tax is to be 916
levied and the number of years for which the tax is to be 917
levied, or that it is for a continuing period of time. If the 918

tax is to be levied for the purpose of providing additional 919
general revenues and for the purpose of supporting criminal and 920
administrative justice services, the resolution shall state the 921
rate or amount of the tax to be apportioned to each such 922
purpose. The rate or amount may be different for each year the 923
tax is to be levied, but the rates or amounts actually 924
apportioned each year shall not be different from that stated in 925
the resolution for that year. If the resolution is adopted as an 926
emergency measure necessary for the immediate preservation of 927
the public peace, health, or safety, it must receive an 928
affirmative vote of all of the members of the board of county 929
commissioners and shall state the reasons for such necessity. 930
The board shall deliver a certified copy of the resolution to 931
the tax commissioner, not later than the sixty-fifth day prior 932
to the date on which the tax is to become effective, which shall 933
be the first day of the calendar quarter. 934

Prior to the adoption of any resolution under this 935
section, the board of county commissioners shall conduct two 936
public hearings on the resolution, the second hearing to be not 937
less than three nor more than ten days after the first. Notice 938
of the date, time, and place of the hearings shall be given by 939
publication in a newspaper of general circulation in the county, 940
or as provided in section 7.16 of the Revised Code, once a week 941
on the same day of the week for two consecutive weeks, the 942
second publication being not less than ten nor more than thirty 943
days prior to the first hearing. 944

Except as provided in division (B)(3) of this section, the 945
resolution shall be subject to a referendum as provided in 946
sections 305.31 to 305.41 of the Revised Code. 947

If a petition for a referendum is filed, the county 948

auditor with whom the petition was filed shall, within five 949
days, notify the board of county commissioners and the tax 950
commissioner of the filing of the petition by certified mail. If 951
the board of elections with which the petition was filed 952
declares the petition invalid, the board of elections, within 953
five days, shall notify the board of county commissioners and 954
the tax commissioner of that declaration by certified mail. If 955
the petition is declared to be invalid, the effective date of 956
the tax or increased rate of tax levied by this section shall be 957
the first day of a calendar quarter following the expiration of 958
sixty-five days from the date the commissioner receives notice 959
from the board of elections that the petition is invalid. 960

(B) (1) A resolution that is not adopted as an emergency 961
measure may direct the board of elections to submit the question 962
of levying the tax or increasing the rate of tax to the electors 963
of the county at a special election held on the date specified 964
by the board of county commissioners in the resolution, provided 965
that the election occurs not less than ninety days after a 966
certified copy of such resolution is transmitted to the board of 967
elections and the election is not held in February or August of 968
any year. Upon transmission of the resolution to the board of 969
elections, the board of county commissioners shall notify the 970
tax commissioner in writing of the levy question to be submitted 971
to the electors. No resolution adopted under this division shall 972
go into effect unless approved by a majority of those voting 973
upon it, and, except as provided in division (B) (3) of this 974
section, shall become effective on the first day of a calendar 975
quarter following the expiration of sixty-five days from the 976
date the tax commissioner receives notice from the board of 977
elections of the affirmative vote. 978

(2) A resolution that is adopted as an emergency measure 979

shall go into effect as provided in division (A) of this 980
section, but may direct the board of elections to submit the 981
question of repealing the tax or increase in the rate of the tax 982
to the electors of the county at the next general election in 983
the county occurring not less than ninety days after a certified 984
copy of the resolution is transmitted to the board of elections. 985
Upon transmission of the resolution to the board of elections, 986
the board of county commissioners shall notify the tax 987
commissioner in writing of the levy question to be submitted to 988
the electors. The ballot question shall be the same as that 989
prescribed in section 5739.022 of the Revised Code. The board of 990
elections shall notify the board of county commissioners and the 991
tax commissioner of the result of the election immediately after 992
the result has been declared. If a majority of the qualified 993
electors voting on the question of repealing the tax or increase 994
in the rate of the tax vote for repeal of the tax or repeal of 995
the increase, the board of county commissioners, on the first 996
day of a calendar quarter following the expiration of sixty-five 997
days after the date the board and tax commissioner receive 998
notice of the result of the election, shall, in the case of a 999
repeal of the tax, cease to levy the tax, or, in the case of a 1000
repeal of an increase in the rate of the tax, cease to levy the 1001
increased rate and levy the tax at the rate at which it was 1002
imposed immediately prior to the increase in rate. 1003

(3) If a vendor makes a sale in this state by printed 1004
catalog and the consumer computed the tax on the sale based on 1005
local rates published in the catalog, any tax levied or repealed 1006
or rate changed under this section shall not apply to such a 1007
sale until the first day of a calendar quarter following the 1008
expiration of one hundred twenty days from the date of notice by 1009
the tax commissioner pursuant to division (H) of this section. 1010

(C) If a resolution is rejected at a referendum or if a resolution adopted after January 1, 1982, as an emergency measure is repealed by the electors pursuant to division (B) (2) of this section or section 5739.022 of the Revised Code, then for one year after the date of the election at which the resolution was rejected or repealed the board of county commissioners may not adopt any resolution authorized by this section as an emergency measure.

(D) The board of county commissioners, at any time while a tax levied under this section is in effect, may by resolution reduce the rate at which the tax is levied to a lower rate authorized by this section. Any reduction in the rate at which the tax is levied shall be made effective on the first day of a calendar quarter next following the sixty-fifth day after a certified copy of the resolution is delivered to the tax commissioner.

(E) The tax on every retail sale subject to a tax levied pursuant to this section shall be in addition to the tax levied by section 5739.02 of the Revised Code and any tax levied pursuant to section 5739.023 or 5739.026 of the Revised Code.

A county that levies a tax pursuant to this section shall levy a tax at the same rate pursuant to section 5741.021 of the Revised Code.

The additional tax levied by the county shall be collected pursuant to section 5739.025 of the Revised Code. If the additional tax or some portion thereof is levied for the purpose of criminal and administrative justice services, the revenue from the tax, or the amount or rate apportioned to that purpose, shall be credited to a special fund created in the county treasury for receipt of that revenue.

Any tax levied pursuant to this section is subject to the 1041
exemptions provided in section 5739.02 of the Revised Code and 1042
in addition shall not be applicable to sales not within the 1043
taxing power of a county under the Constitution of the United 1044
States or the Ohio Constitution. 1045

(F) For purposes of this section, a copy of a resolution 1046
is "certified" when it contains a written statement attesting 1047
that the copy is a true and exact reproduction of the original 1048
resolution. 1049

(G) If a board of commissioners intends to adopt a 1050
resolution to levy a tax in whole or in part for the purpose of 1051
criminal and administrative justice services, the board shall 1052
prepare and make available at the first public hearing at which 1053
the resolution is considered a statement containing the 1054
following information: 1055

(1) For each of the two preceding fiscal years, the amount 1056
of expenditures made by the county from the county general fund 1057
for the purpose of criminal and administrative justice services; 1058

(2) For the fiscal year in which the resolution is 1059
adopted, the board's estimate of the amount of expenditures to 1060
be made by the county from the county general fund for the 1061
purpose of criminal and administrative justice services; 1062

(3) For each of the two fiscal years after the fiscal year 1063
in which the resolution is adopted, the board's preliminary plan 1064
for expenditures to be made from the county general fund for the 1065
purpose of criminal and administrative justice services, both 1066
under the assumption that the tax will be imposed for that 1067
purpose and under the assumption that the tax would not be 1068
imposed for that purpose, and for expenditures to be made from 1069

the special fund created under division (E) of this section 1070
under the assumption that the tax will be imposed for that 1071
purpose. 1072

The board shall prepare the statement and the preliminary 1073
plan using the best information available to the board at the 1074
time the statement is prepared. Neither the statement nor the 1075
preliminary plan shall be used as a basis to challenge the 1076
validity of the tax in any court of competent jurisdiction, nor 1077
shall the statement or preliminary plan limit the authority of 1078
the board to appropriate, pursuant to section 5705.38 of the 1079
Revised Code, an amount different from that specified in the 1080
preliminary plan. 1081

(H) Upon receipt from a board of county commissioners of a 1082
certified copy of a resolution required by division (A) or (D) 1083
of this section, or from the board of elections of a notice of 1084
the results of an election required by division (A) or (B) (1) or 1085
(2) of this section, the tax commissioner shall provide notice 1086
of a tax rate change in a manner that is reasonably accessible 1087
to all affected vendors. The commissioner shall provide this 1088
notice at least sixty days prior to the effective date of the 1089
rate change. The commissioner, by rule, may establish the method 1090
by which notice will be provided. 1091

(I) As used in this section, "criminal and administrative 1092
justice services" means the exercise by the county sheriff of 1093
all powers and duties vested in that office by law; the exercise 1094
by the county prosecuting attorney of all powers and duties 1095
vested in that office by law; the exercise by any court in the 1096
county of all powers and duties vested in that court; the 1097
exercise by the clerk of the court of common pleas, any clerk of 1098
a municipal court having jurisdiction throughout the county, or 1099

the clerk of any county court of all powers and duties vested in 1100
the clerk by law except, in the case of the clerk of the court 1101
of common pleas, the titling of motor vehicles or watercraft 1102
pursuant to Chapter 1548. or 4505. of the Revised Code; the 1103
exercise by the county coroner of all powers and duties vested 1104
in that office by law; making payments to any other public 1105
agency or a private, nonprofit agency, the purposes of which in 1106
the county include the diversion, adjudication, detention, or 1107
rehabilitation of criminals or juvenile offenders; the operation 1108
and maintenance of any detention facility, as defined in section 1109
2921.01 of the Revised Code; and the construction, acquisition, 1110
equipping, or repair of such a detention facility, including the 1111
payment of any debt charges incurred in the issuance of 1112
securities pursuant to Chapter 133. of the Revised Code for the 1113
purpose of constructing, acquiring, equipping, or repairing such 1114
a facility. 1115

Sec. 5739.023. (A) (1) For the purpose of providing 1116
additional general revenues for a transit authority or funding a 1117
regional transportation improvement project under section 1118
5595.06 of the Revised Code, or both, and to pay the expenses of 1119
administering such levy, any transit authority as defined in 1120
division (U) of section 5739.01 of the Revised Code may levy a 1121
tax upon every retail sale made in the territory of the transit 1122
authority, except sales of watercraft and outboard motors 1123
required to be titled pursuant to Chapter 1548. of the Revised 1124
Code and sales of motor vehicles, at a rate of not more than one 1125
and one-half per cent ~~at any multiple of one-tenth of one per-~~ 1126
~~cent~~ and may increase the ~~existing~~ rate of an existing tax to 1127
not more than one and one-half per cent ~~at any~~. The rate of any 1128
tax levied pursuant to this section shall be a multiple of one- 1129
fourth or one-tenth of one per cent. The tax shall be levied and 1130

the rate increased pursuant to a resolution of the legislative 1131
authority of the transit authority and a certified copy of the 1132
resolution shall be delivered by the fiscal officer to the board 1133
of elections as provided in section 3505.071 of the Revised Code 1134
and to the tax commissioner. The resolution shall specify the 1135
number of years for which the tax is to be in effect or that the 1136
tax is for a continuing period of time, and the date of the 1137
election on the question of the tax pursuant to section 306.70 1138
of the Revised Code. The board of elections shall certify the 1139
results of the election to the transit authority and tax 1140
commissioner. 1141

(2) Except as provided in division (C) of this section, 1142
the tax levied by the resolution shall become effective on the 1143
first day of a calendar quarter next following the sixty-fifth 1144
day following the date the tax commissioner receives from the 1145
board of elections the certification of the results of the 1146
election on the question of the tax. 1147

(B) The legislative authority may, at any time while the 1148
tax is in effect, by resolution fix the rate of the tax at any 1149
rate authorized by this section and not in excess of that 1150
approved by the voters pursuant to section 306.70 of the Revised 1151
Code. Except as provided in division (C) of this section, any 1152
change in the rate of the tax shall be made effective on the 1153
first day of a calendar quarter next following the sixty-fifth 1154
day following the date the tax commissioner receives the 1155
certification of the resolution; provided, that in any case 1156
where bonds, or notes in anticipation of bonds, of a regional 1157
transit authority have been issued under section 306.40 of the 1158
Revised Code without a vote of the electors while the tax 1159
proposed to be reduced was in effect, the board of trustees of 1160
the regional transit authority shall continue to levy and 1161

collect under authority of the original election authorizing the 1162
tax a rate of tax that the board of trustees reasonably 1163
estimates will produce an amount in that year equal to the 1164
amount of principal of and interest on those bonds as is payable 1165
in that year. 1166

(C) Upon receipt from the board of elections of the 1167
certification of the results of the election required by 1168
division (A) of this section, or from the legislative authority 1169
of the certification of a resolution under division (B) of this 1170
section, the tax commissioner shall provide notice of a tax rate 1171
change in a manner that is reasonably accessible to all affected 1172
vendors. The commissioner shall provide this notice at least 1173
sixty days prior to the effective date of the rate change. The 1174
commissioner, by rule, may establish the method by which notice 1175
will be provided. 1176

(D) If a vendor makes a sale in this state by printed 1177
catalog and the consumer computed the tax on the sale based on 1178
local rates published in the catalog, any tax levied or rate 1179
changed under this section shall not apply to such a sale until 1180
the first day of a calendar quarter following the expiration of 1181
one hundred twenty days from the date of notice by the tax 1182
commissioner pursuant to division (C) of this section. 1183

(E) The tax on every retail sale subject to a tax levied 1184
pursuant to this section is in addition to the tax levied by 1185
section 5739.02 of the Revised Code and any tax levied pursuant 1186
to section 5739.021 or 5739.026 of the Revised Code. 1187

(F) The additional tax levied by the transit authority 1188
shall be collected pursuant to section 5739.025 of the Revised 1189
Code. 1190

(G) Any tax levied pursuant to this section is subject to 1191
the exemptions provided in section 5739.02 of the Revised Code 1192
and in addition shall not be applicable to sales not within the 1193
taxing power of a transit authority under the constitution of 1194
the United States or the constitution of this state. 1195

(H) The rate of a tax levied under this section is subject 1196
to reduction under section 5739.028 of the Revised Code, if a 1197
ballot question is approved by voters pursuant to that section. 1198

Sec. 5739.026. (A) A board of county commissioners may 1199
levy a tax on every retail sale in the county, except sales of 1200
watercraft and outboard motors required to be titled pursuant to 1201
Chapter 1548. of the Revised Code and sales of motor vehicles, 1202
at a rate of not more than one-half of one per cent ~~at any~~ 1203
~~multiple of one-tenth of one per cent~~ and may increase an 1204
~~existing~~ the rate of an existing tax to not more than one-half 1205
of one per cent ~~at any multiple of one-tenth of one per cent,~~ to 1206
pay the expenses of administering the tax and, except as 1207
provided in division (A) (6) of this section, for any one or more 1208
of the following purposes provided that the aggregate levy for 1209
all such purposes does not exceed one-half of one per cent: 1210

(1) To provide additional revenues for the payment of 1211
bonds or notes issued in anticipation of bonds issued by a 1212
convention facilities authority established by the board of 1213
county commissioners under Chapter 351. of the Revised Code and 1214
to provide additional operating revenues for the convention 1215
facilities authority; 1216

(2) To provide additional revenues for a transit authority 1217
operating in the county; 1218

(3) To provide additional revenue for the county's general 1219

fund; 1220

(4) To provide additional revenue for permanent 1221
improvements to be distributed by the community improvements 1222
board in accordance with section 307.283 and to pay principal, 1223
interest, and premium on bonds issued under section 307.284 of 1224
the Revised Code; 1225

(5) To provide additional revenue for the acquisition, 1226
construction, equipping, or repair of any specific permanent 1227
improvement or any class or group of permanent improvements, 1228
which improvement or class or group of improvements shall be 1229
enumerated in the resolution required by division (D) of this 1230
section, and to pay principal, interest, premium, and other 1231
costs associated with the issuance of bonds or notes in 1232
anticipation of bonds issued pursuant to Chapter 133. of the 1233
Revised Code for the acquisition, construction, equipping, or 1234
repair of the specific permanent improvement or class or group 1235
of permanent improvements; 1236

(6) To provide revenue for the implementation and 1237
operation of a 9-1-1 system in the county. If the tax is levied 1238
or the rate increased exclusively for such purpose, the tax 1239
shall not be levied or the rate increased for more than five 1240
years. At the end of the last year the tax is levied or the rate 1241
increased, any balance remaining in the special fund established 1242
for such purpose shall remain in that fund and be used 1243
exclusively for such purpose until the fund is completely 1244
expended, and, notwithstanding section 5705.16 of the Revised 1245
Code, the board of county commissioners shall not petition for 1246
the transfer of money from such special fund, and the tax 1247
commissioner shall not approve such a petition. 1248

If the tax is levied or the rate increased for such 1249

purpose for more than five years, the board of county 1250
commissioners also shall levy the tax or increase the rate of 1251
the tax for one or more of the purposes described in divisions 1252
(A) (1) to (5) of this section and shall prescribe the method for 1253
allocating the revenues from the tax each year in the manner 1254
required by division (C) of this section. 1255

(7) To provide additional revenue for the operation or 1256
maintenance of a detention facility, as that term is defined 1257
under division (F) of section 2921.01 of the Revised Code; 1258

(8) To provide revenue to finance the construction or 1259
renovation of a sports facility, but only if the tax is levied 1260
for that purpose in the manner prescribed by section 5739.028 of 1261
the Revised Code. 1262

As used in division (A) (8) of this section: 1263

(a) "Sports facility" means a facility intended to house 1264
major league professional athletic teams. 1265

(b) "Constructing" or "construction" includes providing 1266
fixtures, furnishings, and equipment. 1267

(9) To provide additional revenue for the acquisition of 1268
agricultural easements, as defined in section 5301.67 of the 1269
Revised Code; to pay principal, interest, and premium on bonds 1270
issued under section 133.60 of the Revised Code; and for the 1271
supervision and enforcement of agricultural easements held by 1272
the county; 1273

(10) To provide revenue for the provision of ambulance, 1274
paramedic, or other emergency medical services; 1275

(11) To provide revenue for the operation of a lake 1276
facilities authority and the remediation of an impacted 1277

watershed by a lake facilities authority, as provided in Chapter 1278
353. of the Revised Code; 1279

(12) To provide additional revenue for a regional 1280
transportation improvement project under section 5595.06 of the 1281
Revised Code. 1282

Pursuant to section 755.171 of the Revised Code, a board 1283
of county commissioners may pledge and contribute revenue from a 1284
tax levied for the purpose of division (A)(5) of this section to 1285
the payment of debt charges on bonds issued under section 755.17 1286
of the Revised Code. 1287

The rate of tax shall be a multiple of one-fourth or one- 1288
tenth of one per cent, unless a portion of the rate of an 1289
existing tax levied under section 5739.023 of the Revised Code 1290
has been reduced, and the rate of tax levied under this section 1291
has been increased, pursuant to section 5739.028 of the Revised 1292
Code, in which case the aggregate of the rates of tax levied 1293
under this section and section 5739.023 of the Revised Code 1294
shall be a multiple of one-fourth or one-tenth of one per cent. 1295
~~The~~ 1296

The tax shall be levied and the rate increased pursuant to 1297
a resolution adopted by a majority of the members of the board. 1298
The board shall deliver a certified copy of the resolution to 1299
the tax commissioner, not later than the sixty-fifth day prior 1300
to the date on which the tax is to become effective, which shall 1301
be the first day of a calendar quarter. 1302

Prior to the adoption of any resolution to levy the tax or 1303
to increase the rate of tax exclusively for the purpose set 1304
forth in division (A)(3) of this section, the board of county 1305
commissioners shall conduct two public hearings on the 1306

resolution, the second hearing to be no fewer than three nor 1307
more than ten days after the first. Notice of the date, time, 1308
and place of the hearings shall be given by publication in a 1309
newspaper of general circulation in the county, or as provided 1310
in section 7.16 of the Revised Code, once a week on the same day 1311
of the week for two consecutive weeks. The second publication 1312
shall be no fewer than ten nor more than thirty days prior to 1313
the first hearing. Except as provided in division (E) of this 1314
section, the resolution shall be subject to a referendum as 1315
provided in sections 305.31 to 305.41 of the Revised Code. If 1316
the resolution is adopted as an emergency measure necessary for 1317
the immediate preservation of the public peace, health, or 1318
safety, it must receive an affirmative vote of all of the 1319
members of the board of county commissioners and shall state the 1320
reasons for the necessity. 1321

If the tax is for more than one of the purposes set forth 1322
in divisions (A) (1) to (7), (9), (10), and (12) of this section, 1323
or is exclusively for one of the purposes set forth in division 1324
(A) (1), (2), (4), (5), (6), (7), (9), (10), or (12) of this 1325
section, the resolution shall not go into effect unless it is 1326
approved by a majority of the electors voting on the question of 1327
the tax. 1328

(B) The board of county commissioners shall adopt a 1329
resolution under section 351.02 of the Revised Code creating the 1330
convention facilities authority, or under section 307.283 of the 1331
Revised Code creating the community improvements board, before 1332
adopting a resolution levying a tax for the purpose of a 1333
convention facilities authority under division (A) (1) of this 1334
section or for the purpose of a community improvements board 1335
under division (A) (4) of this section. 1336

(C) (1) If the tax is to be used for more than one of the purposes set forth in divisions (A) (1) to (7), (9), (10), and (12) of this section, the board of county commissioners shall establish the method that will be used to determine the amount or proportion of the tax revenue received by the county during each year that will be distributed for each of those purposes, including, if applicable, provisions governing the reallocation of a convention facilities authority's allocation if the authority is dissolved while the tax is in effect. The allocation method may provide that different proportions or amounts of the tax shall be distributed among the purposes in different years, but it shall clearly describe the method that will be used for each year. Except as otherwise provided in division (C) (2) of this section, the allocation method established by the board is not subject to amendment during the life of the tax.

(2) Subsequent to holding a public hearing on the proposed amendment, the board of county commissioners may amend the allocation method established under division (C) (1) of this section for any year, if the amendment is approved by the governing board of each entity whose allocation for the year would be reduced by the proposed amendment. In the case of a tax that is levied for a continuing period of time, the board may not so amend the allocation method for any year before the sixth year that the tax is in effect.

(a) If the additional revenues provided to the convention facilities authority are pledged by the authority for the payment of convention facilities authority revenue bonds for as long as such bonds are outstanding, no reduction of the authority's allocation of the tax shall be made for any year except to the extent that the reduced authority allocation, when

combined with the authority's other revenues pledged for that 1368
purpose, is sufficient to meet the debt service requirements for 1369
that year on such bonds. 1370

(b) If the additional revenues provided to the county are 1371
pledged by the county for the payment of bonds or notes 1372
described in division (A) (4) or (5) of this section, for as long 1373
as such bonds or notes are outstanding, no reduction of the 1374
county's or the community improvements board's allocation of the 1375
tax shall be made for any year, except to the extent that the 1376
reduced county or community improvements board allocation is 1377
sufficient to meet the debt service requirements for that year 1378
on such bonds or notes. 1379

(c) If the additional revenues provided to the transit 1380
authority are pledged by the authority for the payment of 1381
revenue bonds issued under section 306.37 of the Revised Code, 1382
for as long as such bonds are outstanding, no reduction of the 1383
authority's allocation of tax shall be made for any year, except 1384
to the extent that the authority's reduced allocation, when 1385
combined with the authority's other revenues pledged for that 1386
purpose, is sufficient to meet the debt service requirements for 1387
that year on such bonds. 1388

(d) If the additional revenues provided to the county are 1389
pledged by the county for the payment of bonds or notes issued 1390
under section 133.60 of the Revised Code, for so long as the 1391
bonds or notes are outstanding, no reduction of the county's 1392
allocation of the tax shall be made for any year, except to the 1393
extent that the reduced county allocation is sufficient to meet 1394
the debt service requirements for that year on the bonds or 1395
notes. 1396

(D) (1) The resolution levying the tax or increasing the 1397

rate of tax shall state the rate of the tax or the rate of the 1398
increase; the purpose or purposes for which it is to be levied; 1399
the number of years for which it is to be levied or that it is 1400
for a continuing period of time; the allocation method required 1401
by division (C) of this section; and if required to be submitted 1402
to the electors of the county under division (A) of this 1403
section, the date of the election at which the proposal shall be 1404
submitted to the electors of the county, which shall be not less 1405
than ninety days after the certification of a copy of the 1406
resolution to the board of elections and, if the tax is to be 1407
levied exclusively for the purpose set forth in division (A) (3) 1408
of this section, shall not occur in August of any year. Upon 1409
certification of the resolution to the board of elections, the 1410
board of county commissioners shall notify the tax commissioner 1411
in writing of the levy question to be submitted to the electors. 1412
If approved by a majority of the electors, the tax shall become 1413
effective on the first day of a calendar quarter next following 1414
the sixty-fifth day following the date the board of county 1415
commissioners and tax commissioner receive from the board of 1416
elections the certification of the results of the election, 1417
except as provided in division (E) of this section. 1418

(2) (a) A resolution specifying that the tax is to be used 1419
exclusively for the purpose set forth in division (A) (3) of this 1420
section that is not adopted as an emergency measure may direct 1421
the board of elections to submit the question of levying the tax 1422
or increasing the rate of the tax to the electors of the county 1423
at a special election held on the date specified by the board of 1424
county commissioners in the resolution, provided that the 1425
election occurs not less than ninety days after the resolution 1426
is certified to the board of elections and the election is not 1427
held in August of any year. Upon certification of the resolution 1428

to the board of elections, the board of county commissioners 1429
shall notify the tax commissioner in writing of the levy 1430
question to be submitted to the electors. No resolution adopted 1431
under division (D) (2) (a) of this section shall go into effect 1432
unless approved by a majority of those voting upon it and, 1433
except as provided in division (E) of this section, not until 1434
the first day of a calendar quarter following the expiration of 1435
sixty-five days from the date the tax commissioner receives 1436
notice from the board of elections of the affirmative vote. 1437

(b) A resolution specifying that the tax is to be used 1438
exclusively for the purpose set forth in division (A) (3) of this 1439
section that is adopted as an emergency measure shall become 1440
effective as provided in division (A) of this section, but may 1441
direct the board of elections to submit the question of 1442
repealing the tax or increase in the rate of the tax to the 1443
electors of the county at the next general election in the 1444
county occurring not less than ninety days after the resolution 1445
is certified to the board of elections. Upon certification of 1446
the resolution to the board of elections, the board of county 1447
commissioners shall notify the tax commissioner in writing of 1448
the levy question to be submitted to the electors. The ballot 1449
question shall be the same as that prescribed in section 1450
5739.022 of the Revised Code. The board of elections shall 1451
notify the board of county commissioners and the tax 1452
commissioner of the result of the election immediately after the 1453
result has been declared. If a majority of the qualified 1454
electors voting on the question of repealing the tax or increase 1455
in the rate of the tax vote for repeal of the tax or repeal of 1456
the increase, the board of county commissioners, on the first 1457
day of a calendar quarter following the expiration of sixty-five 1458
days after the date the board and tax commissioner received 1459

notice of the result of the election, shall, in the case of a 1460
repeal of the tax, cease to levy the tax, or, in the case of a 1461
repeal of an increase in the rate of the tax, cease to levy the 1462
increased rate and levy the tax at the rate at which it was 1463
imposed immediately prior to the increase in rate. 1464

(c) A board of county commissioners, by resolution, may 1465
reduce the rate of a tax levied exclusively for the purpose set 1466
forth in division (A) (3) of this section to a lower rate 1467
authorized by this section. Any such reduction shall be made 1468
effective on the first day of the calendar quarter next 1469
following the sixty-fifth day after the tax commissioner 1470
receives a certified copy of the resolution from the board. 1471

(E) If a vendor makes a sale in this state by printed 1472
catalog and the consumer computed the tax on the sale based on 1473
local rates published in the catalog, any tax levied or repealed 1474
or rate changed under this section shall not apply to such a 1475
sale until the first day of a calendar quarter following the 1476
expiration of one hundred twenty days from the date of notice by 1477
the tax commissioner pursuant to division (G) of this section. 1478

(F) The tax levied pursuant to this section shall be in 1479
addition to the tax levied by section 5739.02 of the Revised 1480
Code and any tax levied pursuant to section 5739.021 or 5739.023 1481
of the Revised Code. 1482

A county that levies a tax pursuant to this section shall 1483
levy a tax at the same rate pursuant to section 5741.023 of the 1484
Revised Code. 1485

The additional tax levied by the county shall be collected 1486
pursuant to section 5739.025 of the Revised Code. 1487

Any tax levied pursuant to this section is subject to the 1488

exemptions provided in section 5739.02 of the Revised Code and 1489
in addition shall not be applicable to sales not within the 1490
taxing power of a county under the Constitution of the United 1491
States or the Ohio Constitution. 1492

(G) Upon receipt from a board of county commissioners of a 1493
certified copy of a resolution required by division (A) of this 1494
section, or from the board of elections a notice of the results 1495
of an election required by division (D) (1), (2) (a), (b), or (c) 1496
of this section, the tax commissioner shall provide notice of a 1497
tax rate change in a manner that is reasonably accessible to all 1498
affected vendors. The commissioner shall provide this notice at 1499
least sixty days prior to the effective date of the rate change. 1500
The commissioner, by rule, may establish the method by which 1501
notice will be provided. 1502

Section 2. That existing sections 715.691, 5705.03, 1503
5709.40, 5709.634, 5739.021, 5739.023, and 5739.026 of the 1504
Revised Code are hereby repealed. 1505

Section 3. That Sections 387.10 and 387.20 of Am. Sub. 1506
H.B. 49 of the 132nd General Assembly be amended to read as 1507
follows: 1508

Sec. 387.10. RDF STATE REVENUE DISTRIBUTIONS 1509

General Revenue Fund Group 1510

GRF 110908 Property Tax 1511

Reimbursement Local 1512

Government \$ 641,015,200 \$ 645,785,000 1513

GRF 200903 Property Tax 1514

Reimbursement - 1515

		Education	\$ 1,180,084,800	\$ 1,199,315,000	1516
		TOTAL GRF General Revenue Fund Group	\$ 1,821,100,000	\$ 1,845,100,000	1517
		Revenue Distribution Fund Group			1518
5JG0	110633	Gross Casino Revenue			1519
		Payments-County	\$ 128,400,000	\$ 126,500,000	1520
5JH0	110634	Gross Casino Revenue			1521
		Payments- School			1522
		Districts	\$ 85,600,000	\$ 84,300,000	1523
5JJ0	110636	Gross Casino Revenue			1524
		- Host City	\$ 12,500,000	\$ 12,400,000	1525
7047	200902	Property Tax Replacement			1526
		Phase Out-Education	\$ 207,311,667	\$ 165,229,141	1527
7049	336900	Indigent Drivers			1528
		Alcohol Treatment	\$ 2,250,000	\$ 2,250,000	1529
7050	762900	International			1530
		Registration Plan			1531
		Distribution	\$ 22,000,000	\$ 22,000,000	1532
7051	762901	Auto Registration			1533
		Distribution	\$ 325,000,000	\$ 325,000,000	1534
7060	110960	Gasoline Excise			1535
		Tax Fund	\$ 375,000,000	\$ 375,000,000	1536
7065	110965	Public Library Fund	\$ 386,300,000	\$ 398,100,000	1537

7066	800966	Undivided Liquor			1538
		Permits	\$ 14,600,000	\$ 14,600,000	1539
7068	110968	State and Local			1540
		Government Highway			1541
		Distributions	\$ 196,000,000	\$ 196,000,000	1542
7069	110969	Local Government Fund	\$ 381,800,000	\$ 393,500,000	1543
7081	110907	Property Tax			1544
		Replacement Phase			1545
		Out-Local Government	\$ 30,844,526	\$ 16,700,147	1546
7082	110982	Horse Racing Tax	\$ 60,000	\$ 60,000	1547
7083	700900	Ohio Fairs Fund	\$ 1,000,000	\$ 1,000,000	1548
7104	110997	Medicaid Local Sales			1549
		Tax Transition Fund	\$ 207,000,000	\$ 0	1550
			<u>257,000,000</u>	<u>30,000,000</u>	1551
TOTAL RDF Revenue Distribution					1552
Fund Group			\$ 2,375,666,193	\$ 2,132,639,288	1553
			<u>2,425,666,193</u>	<u>2,162,639,288</u>	1554
Fiduciary Fund Group					1555
4P80	001698	Cash Management			1556
		Improvement Fund	\$ 3,100,000	\$ 3,100,000	1557
6080	001699	Investment Earnings	\$ 120,000,000	\$ 125,000,000	1558
7001	110996	Horse Racing Tax			1559
		Local Government			1560

		Payments	\$ 240,000	\$ 240,000	1561
7062	110962	Resort Area Excise			1562
		Tax Distribution	\$ 1,200,000	\$ 1,200,000	1563
7063	110963	Permissive Sales			1564
		Tax Distribution	\$ 2,577,800,000	\$ 2,653,900,000	1565
7067	110967	School District Income			1566
		Tax Distribution	\$ 435,200,000	\$ 451,200,000	1567
7085	800985	Volunteer Firemen's			1568
		Dependents Fund	\$ 300,000	\$ 300,000	1569
7093	110640	Next Generation 9-1-1	\$ 1,000,000	\$ 1,000,000	1570
7094	110641	Wireless 9-1-1			1571
		Government Assistance	\$ 25,700,000	\$ 25,700,000	1572
7095	110995	Municipal Income Tax	\$ 8,000,000	\$ 8,000,000	1573
7099	762902	Permissive Tax			1574
		Distribution -			1575
		Auto Registration	\$ 180,000,000	\$ 180,000,000	1576
TOTAL FID Fiduciary Fund Group			\$ 3,352,540,000	\$ 3,468,590,000	1577
Holding Account Fund Group					1578
R045	110617	International Fuel			1579
		Tax Distribution	\$ 36,100,000	\$ 36,100,000	1580
TOTAL HLD Holding Account Fund Group			\$ 36,100,000	\$ 36,100,000	1581
TOTAL ALL BUDGET FUND GROUPS			\$ 7,585,406,193	\$ 7,482,429,288	1582
			<u>7,635,406,193</u>	<u>7,512,429,288</u>	1583

Sec. 387.20. ADDITIONAL APPROPRIATIONS	1584
Appropriation items in this section shall be used for the	1585
purpose of administering and distributing the designated revenue	1586
distribution funds according to the Revised Code. If it is	1587
determined that additional appropriations are necessary for this	1588
purpose, such amounts are hereby appropriated.	1589
 GENERAL REVENUE FUND TRANSFERS	1590
Notwithstanding any provision of law to the contrary, in	1591
fiscal year 2018 and fiscal year 2019, the Director of Budget	1592
and Management may transfer from the General Revenue Fund to the	1593
Local Government Tangible Property Tax Replacement Fund (Fund	1594
7081) and the School District Tangible Property Tax Replacement	1595
Fund (Fund 7047) in the Revenue Distribution Fund Group, those	1596
amounts necessary to reimburse local taxing units and school	1597
districts under sections 5709.92 and 5709.93 of the Revised	1598
Code. Also, in fiscal year 2018 and fiscal year 2019, the	1599
Director of Budget and Management may make temporary transfers	1600
from the General Revenue Fund to ensure sufficient balances in	1601
the Local Government Tangible Property Tax Replacement Fund	1602
(Fund 7081) and the School District Tangible Property Tax	1603
Replacement Fund (Fund 7047) and to replenish the General	1604
Revenue Fund for such transfers.	1605
 MUNICIPAL INCOME NET PROFITS -TAX	1606
The foregoing appropriation item 110995, Municipal Income	1607
Net Profits -Tax, shall be used to make payments to municipal	1608
corporations under section 5745.05 of the Revised Code. If it is	1609
determined that additional appropriations are necessary to make	1610
such payments, such amounts are hereby appropriated.	1611
 PROPERTY TAX REIMBURSEMENT - EDUCATION	1612

The foregoing appropriation item 200903, Property Tax Reimbursement - Education, is appropriated to pay for the state's costs incurred because of the homestead exemption, the property tax rollback, and payments required under division (C) of section 5705.2110 of the Revised Code. In cooperation with the Department of Taxation, the Department of Education shall distribute these funds directly to the appropriate school districts of the state, notwithstanding sections 321.24 and 323.156 of the Revised Code, which provide for payment of the homestead exemption and property tax rollback by the Tax Commissioner to the appropriate county treasurer and the subsequent redistribution of these funds to the appropriate local taxing districts by the county auditor.

Upon receipt of these amounts, each school district shall distribute the amount among the proper funds as if it had been paid as real or tangible personal property taxes. Payments for the costs of administration shall continue to be paid to the county treasurer and county auditor as provided for in sections 319.54, 321.26, and 323.156 of the Revised Code.

Any sums, in addition to the amount specifically appropriated in appropriation item 200903, Property Tax Reimbursement - Education, for the homestead exemption and the property tax rollback payments, and payments required under division (C) of section 5705.2110 of the Revised Code, which are determined to be necessary for these purposes, are hereby appropriated.

HOMESTEAD EXEMPTION, PROPERTY TAX ROLLBACK

The foregoing appropriation item 110908, Property Tax Reimbursement-Local Government, is hereby appropriated to pay for the state's costs incurred due to the Homestead Exemption,

the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. The Tax Commissioner shall distribute these funds directly to the appropriate local taxing districts, except for school districts, notwithstanding the provisions in sections 321.24 and 323.156 of the Revised Code, which provide for payment of the Homestead Exemption, the Manufactured Home Property Tax Rollback, and Property Tax Rollback by the Tax Commissioner to the appropriate county treasurer and the subsequent redistribution of these funds to the appropriate local taxing districts by the county auditor.

Upon receipt of these amounts, each local taxing district shall distribute the amount among the proper funds as if it had been paid as real property taxes. Payments for the costs of administration shall continue to be paid to the county treasurer and county auditor as provided for in sections 319.54, 321.26, and 323.156 of the Revised Code.

Any sums, in addition to the amounts specifically appropriated in appropriation item 110908, Property Tax Allocation - Local Government, for the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback payments, which are determined to be necessary for these purposes, are hereby appropriated.

PUBLIC LIBRARY FUND

Notwithstanding the requirement in division (B) of section 131.51 of the Revised Code that the Director of Budget and Management shall credit to the Public Library Fund one and sixty-six one-hundredths per cent of the total tax revenue credited to the General Revenue Fund during the preceding month, the Director shall instead calculate these amounts during fiscal year 2018 and fiscal year 2019 using one and sixty-eight one-

hundredths as the percentage. 1673

MEDICAID LOCAL SALES TAX TRANSITION FUND 1674

(A) There is hereby created in the state treasury the 1675
Medicaid Local Sales Tax Transition Fund. The fund shall consist 1676
of money transferred to it. The fund shall be used to mitigate 1677
the effects of, and assist in the adjustment to, the reduced 1678
sales tax revenues of counties and affected transit authorities 1679
caused by the repeal of sales tax collected by Medicaid health 1680
insuring corporations on health care service transactions. 1681

Amounts provided to counties and transit authorities under 1682
division (D) of this section from the Medicaid Local Sales Tax 1683
Transition Fund use the jurisdictions' annualized Medicaid sales 1684
tax revenues during the calendar year 2015 and 2016 periods. 1685
Based on these figures, the payments provided in this section 1686
provide full replacement of the calculated forgone Medicaid 1687
sales tax revenues in calendar year 2017, which will occur 1688
during the October 2017 through December 2017 period. The 1689
payments under this section also reflect a computation of the 1690
ability of the counties and transit authorities to reasonably 1691
adjust to the effects of forgone Medicaid sales tax revenues. 1692
Over time, each jurisdiction will be able to absorb an 1693
increasing portion of its forgone Medicaid sales tax revenue 1694
until it has adjusted to the full forgone revenue. Before such 1695
full adjustment to the Medicaid sales tax change finally occurs, 1696
for each year in which the jurisdiction's annualized Medicaid 1697
sales tax revenue exceeds the amount it is computed as being 1698
able to reasonably absorb in that year, such difference becomes 1699
part of the overall distribution provided under this section. 1700
The amount the jurisdiction is able to absorb in a given year is 1701
the product derived from multiplying the jurisdiction's 1702

annualized total sales tax revenues for calendar years 2015 and 1703
2016 by the total absorption rate assigned to the jurisdiction. 1704
The absorption rate, which grows by the same increment each 1705
year, is initially established at a level that takes into 1706
account the relative sales tax capacity of a jurisdiction; the 1707
assigned initial absorption rate is four percent but is a 1708
smaller amount to the extent the jurisdiction's sales tax 1709
capacity is below statewide average sales tax capacity. 1710

(B) If the Tax Commissioner orders the cessation of 1711
collection of sales and use taxes pursuant to division (B) (11) 1712
(b) of section 5739.01 of the Revised Code, the Commissioner 1713
shall certify such result to the Director of Budget and 1714
Management. After receipt of this certification by the Director, 1715
the requirements in divisions (C), (D), ~~and (E)~~, (F), and (G) of 1716
this section shall take effect. 1717

(C) On or before October 15, 2017, each county and transit 1718
authority that as of January 1, 2017, levies any tax under 1719
sections 5739.021, 5739.023, 5739.026, 5741.021, 5741.022, and 1720
5741.023 of the Revised Code shall establish a County and 1721
Transit Authority Medicaid Sales Tax Transition Fund. The fund 1722
shall consist of money distributed to it under this section. 1723
Money provided to such fund shall be transferred to the general 1724
fund or other fund that receives a lawful portion of the 1725
county's or transit authority's sales tax revenue in accordance 1726
with a resolution adopted by the board of county commissioners, 1727
the county transit board, or trustees of a regional transit 1728
authority, as appropriate. Money may be transferred from the 1729
County and Transit Authority Medicaid Sales Tax Transition Fund 1730
at any time and in any quantity as indicated by the resolution. 1731

(D) On or before November 1, 2017, the Tax Commissioner 1732

shall provide for payment to each county and transit authority 1733
of a sum equal to fifty per cent of the amount provided for the 1734
county or transit authority in division (E) of this section; on 1735
or after January 1, 2018, and before February 1, 2018, the 1736
Commissioner shall provide for payment to each such county and 1737
transit authority of a sum equal to fifty per cent of such 1738
amount. The county treasurer or transit authority fiscal officer 1739
shall deposit ~~such~~any amount received under this section into 1740
the County and Transit Authority Medicaid Sales Tax Transition 1741
Fund within five business days of its receipt. 1742

(E) Distributions made to counties and transit authorities 1743
under division (D) of this section shall equal the following 1744
amounts: 1745

Counties:		1746
Adams	\$2,338,462	1747
Allen	\$499,518	1748
Ashland	\$247,665	1749
Ashtabula	\$1,953,705	1750
Athens	\$1,361,470	1751
Auglaize	\$164,879	1752
Belmont	\$513,695	1753
Brown	\$2,608,692	1754
Butler	\$2,131,220	1755
Carroll	\$222,196	1756
Champaign	\$696,332	1757
Clark	\$6,072,014	1758

Clermont	\$1,385,155	1759
Clinton	\$648,501	1760
Columbiana	\$4,912,012	1761
Coshocton	\$1,095,382	1762
Crawford	\$1,747,652	1763
Cuyahoga	\$25,041,192	1764
Darke	\$394,752	1765
Defiance	\$142,872	1766
Delaware	\$223,143	1767
Erie	\$152,337	1768
Fairfield	\$868,591	1769
Fayette	\$392,342	1770
Franklin	\$14,101,763	1771
Fulton	\$368,374	1772
Gallia	\$950,776	1773
Geauga	\$104,067	1774
Greene	\$681,774	1775
Guernsey	\$550,466	1776
Hamilton	\$9,611,825	1777
Hancock	\$116,906	1778
Hardin	\$662,553	1779
Harrison	\$122,629	1780

Henry	\$216,876	1781
Highland	\$1,802,649	1782
Hocking	\$982,451	1783
Holmes	\$35,327	1784
Huron	\$781,761	1785
Jackson	\$1,628,743	1786
Jefferson	\$1,717,858	1787
Knox	\$472,792	1788
Lake	\$640,963	1789
Lawrence	\$4,457,248	1790
Licking	\$1,325,897	1791
Logan	\$404,753	1792
Lorain	\$2,425,083	1793
Lucas	\$12,058,600	1794
Madison	\$534,899	1795
Mahoning	\$5,235,592	1796
Marion	\$1,688,310	1797
Medina	\$240,830	1798
Meigs	\$3,504,185	1799
Mercer	\$70,711	1800
Miami	\$426,061	1801
Monroe	\$162,021	1802

Montgomery	\$9,198,720	1803
Morgan	\$1,165,475	1804
Morrow	\$1,497,739	1805
Muskingum	\$1,580,290	1806
Noble	\$268,375	1807
Ottawa	\$226,182	1808
Paulding	\$651,361	1809
Perry	\$3,014,204	1810
Pickaway	\$2,027,117	1811
Pike	\$2,030,999	1812
Portage	\$1,168,359	1813
Preble	\$1,050,742	1814
Putnam	\$126,494	1815
Richland	\$955,179	1816
Ross	\$1,903,651	1817
Sandusky	\$558,488	1818
Scioto	\$6,331,880	1819
Seneca	\$904,551	1820
Shelby	\$201,342	1821
Stark	\$1,471,853	1822
Summit	\$2,309,202	1823
Trumbull	\$3,958,878	1824

Tuscarawas	\$353,741	1825
Union	\$111,287	1826
Van Wert	\$300,928	1827
Vinton	\$2,803,310	1828
Warren	\$317,939	1829
Washington	\$521,996	1830
Wayne	\$585,869	1831
Williams	\$496,855	1832
Wood	\$237,910	1833
Wyandot	\$121,144	1834
Transit Authorities:		1835
Greater Cleveland Regional	\$20,068,166	1836
Transit Authority		1837
Central Ohio Regional	\$5,273,867	1838
Transit Authority		1839
Laketran Transit Authority	\$160,420	1840
Western Reserve Transit	\$1,055,799	1841
Authority		1842
Greater Dayton Regional	\$4,605,453	1843
Transit Authority		1844
Portage Area Regional	\$234,905	1845
Transit Authority		1846

Stark Area Regional	\$735,589	1847
Transit Authority		1848
Metro Regional Transit		1849
Authority	\$2,315,641	1850

(F) After the payments are made under division (D) of this section, \$50,000,000 shall be paid from the Medicaid Local Sales Tax Transition Fund pursuant to division (F) of this section. On or after January 1, 2018, and before February 1, 2018, from the Medicaid Local Sales Tax Transition Fund, the Tax Commissioner shall pay to each county that, as of January 1, 2017, levied any tax under sections 5739.021, 5739.026, 5741.021, and 5741.023 of the Revised Code and to each transit authority that, as of January 1, 2017, levied any tax under sections 5739.023 and 5741.022 of the Revised Code, an amount equal to the product of \$50,000,000 multiplied by the county's or the transit authority's proportionate share of the sum of the average annual Medicaid sales tax revenue. For purposes of this section, "average annual Medicaid sales tax revenue" for each county and transit authority shall equal the following amounts:

<u>Counties:</u>		1866
<u>Adams</u>	<u>\$691,336</u>	1867
<u>Allen</u>	<u>\$944,611</u>	1868
<u>Ashland</u>	<u>\$393,831</u>	1869
<u>Ashtabula</u>	<u>\$1,124,661</u>	1870
<u>Athens</u>	<u>\$823,374</u>	1871
<u>Auqlaize</u>	<u>\$372,282</u>	1872
<u>Belmont</u>	<u>\$998,456</u>	1873

<u>Brown</u>	<u>\$763,973</u>	1874
<u>Butler</u>	<u>\$3,038,436</u>	1875
<u>Carroll</u>	<u>\$222,446</u>	1876
<u>Champaign</u>	<u>\$454,331</u>	1877
<u>Clark</u>	<u>\$3,195,827</u>	1878
<u>Clermont</u>	<u>\$1,863,529</u>	1879
<u>Clinton</u>	<u>\$557,270</u>	1880
<u>Columbiana</u>	<u>\$2,122,669</u>	1881
<u>Coshocton</u>	<u>\$613,459</u>	1882
<u>Crawford</u>	<u>\$699,749</u>	1883
<u>Cuyahoga</u>	<u>\$25,302,086</u>	1884
<u>Darke</u>	<u>\$508,350</u>	1885
<u>Defiance</u>	<u>\$295,699</u>	1886
<u>Delaware</u>	<u>\$892,573</u>	1887
<u>Erie</u>	<u>\$609,346</u>	1888
<u>Fairfield</u>	<u>\$1,307,564</u>	1889
<u>Fayette</u>	<u>\$593,928</u>	1890
<u>Franklin</u>	<u>\$20,696,969</u>	1891
<u>Fulton</u>	<u>\$488,652</u>	1892
<u>Gallia</u>	<u>\$585,929</u>	1893
<u>Geauga</u>	<u>\$416,266</u>	1894
<u>Greene</u>	<u>\$1,381,738</u>	1895

<u>Guernsey</u>	<u>\$721,749</u>	1896
<u>Hamilton</u>	<u>\$14,024,548</u>	1897
<u>Hancock</u>	<u>\$467,622</u>	1898
<u>Hardin</u>	<u>\$390,788</u>	1899
<u>Harrison</u>	<u>\$242,632</u>	1900
<u>Henry</u>	<u>\$231,619</u>	1901
<u>Highland</u>	<u>\$814,470</u>	1902
<u>Hocking</u>	<u>\$497,590</u>	1903
<u>Holmes</u>	<u>\$141,307</u>	1904
<u>Huron</u>	<u>\$725,668</u>	1905
<u>Jackson</u>	<u>\$739,743</u>	1906
<u>Jefferson</u>	<u>\$1,296,844</u>	1907
<u>Knox</u>	<u>\$486,217</u>	1908
<u>Lake</u>	<u>\$1,671,199</u>	1909
<u>Lawrence</u>	<u>\$1,402,233</u>	1910
<u>Licking</u>	<u>\$2,010,889</u>	1911
<u>Logan</u>	<u>\$616,622</u>	1912
<u>Lorain</u>	<u>\$2,365,747</u>	1913
<u>Lucas</u>	<u>\$10,855,984</u>	1914
<u>Madison</u>	<u>\$501,099</u>	1915
<u>Mahoning</u>	<u>\$4,422,924</u>	1916
<u>Marion</u>	<u>\$1,215,150</u>	1917

<u>Medina</u>	<u>\$963,321</u>	1918
<u>Meigs</u>	<u>\$567,269</u>	1919
<u>Mercer</u>	<u>\$274,171</u>	1920
<u>Miami</u>	<u>\$850,015</u>	1921
<u>Monroe</u>	<u>\$228,684</u>	1922
<u>Montgomery</u>	<u>\$8,160,413</u>	1923
<u>Morgan</u>	<u>\$279,055</u>	1924
<u>Morrow</u>	<u>\$477,346</u>	1925
<u>Muskingum</u>	<u>\$1,709,800</u>	1926
<u>Noble</u>	<u>\$168,168</u>	1927
<u>Ottawa</u>	<u>\$447,742</u>	1928
<u>Paulding</u>	<u>\$218,106</u>	1929
<u>Perry</u>	<u>\$671,732</u>	1930
<u>Pickaway</u>	<u>\$963,623</u>	1931
<u>Pike</u>	<u>\$748,638</u>	1932
<u>Portage</u>	<u>\$1,636,714</u>	1933
<u>Preble</u>	<u>\$544,716</u>	1934
<u>Putnam</u>	<u>\$192,253</u>	1935
<u>Richland</u>	<u>\$1,399,728</u>	1936
<u>Ross</u>	<u>\$1,552,153</u>	1937
<u>Sandusky</u>	<u>\$732,434</u>	1938
<u>Scioto</u>	<u>\$2,010,455</u>	1939

<u>Seneca</u>	<u>\$693,013</u>	1940
<u>Shelby</u>	<u>\$451,328</u>	1941
<u>Stark</u>	<u>\$2,102,869</u>	1942
<u>Summit</u>	<u>\$3,298,852</u>	1943
<u>Trumbull</u>	<u>\$2,712,835</u>	1944
<u>Tuscarawas</u>	<u>\$668,527</u>	1945
<u>Union</u>	<u>\$445,148</u>	1946
<u>Van Wert</u>	<u>\$292,146</u>	1947
<u>Vinton</u>	<u>\$345,435</u>	1948
<u>Warren</u>	<u>\$1,271,756</u>	1949
<u>Washington</u>	<u>\$827,368</u>	1950
<u>Wayne</u>	<u>\$792,665</u>	1951
<u>Williams</u>	<u>\$430,102</u>	1952
<u>Wood</u>	<u>\$846,393</u>	1953
<u>Wyandot</u>	<u>\$191,458</u>	1954
<u>Transit Authorities:</u>		1955
<u>Greater Cleveland Regional</u>	<u>\$20,241,668</u>	1956
<u>Transit Authority</u>		1957
<u>Central Ohio Regional</u>	<u>\$8,316,544</u>	1958
<u>Transit Authority</u>		1959
<u>Laketran Transit Authority</u>	<u>\$417,800</u>	1960
<u>Western Reserve Transit</u>	<u>\$887,442</u>	1961

<u>Authority</u>	1962
<u>Greater Dayton Regional Transit \$4,080,206</u>	1963
<u>Authority</u>	1964
<u>Portage Area Regional Transit \$328,210</u>	1965
<u>Authority</u>	1966
<u>Stark Area Regional Transit \$1,051,435</u>	1967
<u>Authority</u>	1968
<u>Metro Regional Transit Authority \$3,298,852</u>	1969
<u>(G) On or after August 1, 2018, and before September 1,</u>	1970
<u>2018, from any amount transferred to the Medicaid Local Sales</u>	1971
<u>Tax Transition Fund in July 2018 under the section of this act</u>	1972
<u>titled FISCAL YEAR 2018 GENERAL REVENUE FUND ENDING BALANCE, the</u>	1973
<u>Tax Commissioner shall pay to each county that, as of January 1,</u>	1974
<u>2017, levied any tax under sections 5739.021, 5739.026,</u>	1975
<u>5741.021, and 5741.023 of the Revised Code, and to each transit</u>	1976
<u>authority that, as of January 1, 2017, levied any tax under</u>	1977
<u>sections 5739.023 and 5741.022 of the Revised Code, an amount</u>	1978
<u>equal to the amount transferred, multiplied by the county's or</u>	1979
<u>the transit authority's proportionate share of the sum of the</u>	1980
<u>average annual Medicaid sales tax revenue.</u>	1981
Section 4. That existing Sections 387.10 and 387.20 of Am.	1982
Sub. H.B. 49 of the 132nd General Assembly are hereby repealed.	1983
Section 5. FISCAL YEAR 2018 GENERAL REVENUE FUND ENDING	1984
BALANCE	1985
Notwithstanding divisions (B) and (C) of section 131.44 of	1986
the Revised Code, the Director of Budget and Management shall	1987
determine the surplus revenue, as defined in division (A)(1) of	1988

section 131.44 of the Revised Code, that existed on June 30, 1989
2018, and transfer the lesser of \$30 million or the amount of 1990
surplus revenue from the GRF to the Medicaid Local Sales Tax 1991
Transition Fund on or before July 31, 2018. 1992

Section 6. The amendment by this act of sections 5739.021, 1993
5739.023, and 5739.026 of the Revised Code applies on and after 1994
July 1, 2018. 1995

Section 7. Section 5709.40 of the Revised Code is 1996
presented in this act as a composite of the section as amended 1997
by Sub. H.B. 158, Sub. H.B. 413, and Am. Sub. H.B. 483, all of 1998
the 131st General Assembly. The General Assembly, applying the 1999
principle stated in division (B) of section 1.52 of the Revised 2000
Code that amendments are to be harmonized if reasonably capable 2001
of simultaneous operation, finds that the composite is the 2002
resulting version of the section in effect prior to the 2003
effective date of the section as presented in this act. 2004