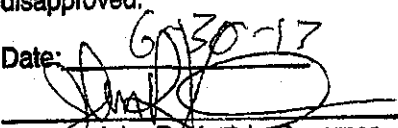
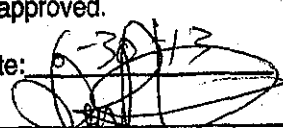


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 Date: 6/30/17

 John R. Kasich, Governor

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Date: 6-30-13

John R. Kasich, Governor

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 Date: *6/30/13*

 John R. Kasich, Governor

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 5910.07, 5919.34, 5924.502, 5924.503, 5924.504,
 5924.506, 6109.21, and 6111.037; to amend, for the
 purpose of adopting new section numbers as indicated in
 parentheses, sections 173.394 (173.38), 173.40 (173.52),
 173.401 (173.521), 173.402 (173.524), 173.403 (173.53),
 173.404 (173.55), 3304.23 (3335.60), 3304.231
 (3335.61), 3304.14 (3304.15), 3304.15 (3304.16),
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 (3333.59), 3383.01 (123.28), 3383.07 (123.281),
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 Date: 6-30-13

 John R. Kasich, Governor

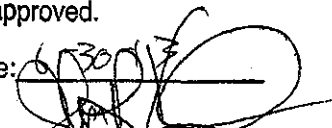
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Date: *6-30-13*

[Signature]
John R. Kasich, Governor

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 John R. Kasich, Governor

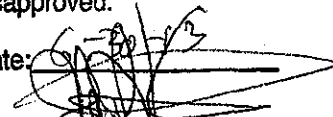
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 John R. Kasich, Governor

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 3313.60, 3313.603, 3313.6013, 3313.6016, 3313.612, 3313.615, 3313.62,
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 3313.841, 3313.843, 3313.844, 3313.845, 3313.847, 3313.88, 3313.911,

The above boxed and initialed text was disapproved.
 Date: 6-30-13
 John F. Kasich, Governor

3313.976, 3313.978, 3313.98, 3313.981, 3314.015, 3314.017, 3314.027,
 3314.029, 3314.03, 3314.05, 3314.06, 3314.072, 3314.074, 3314.08,
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 JRK 3319.235, 3319.57, 3319.58, 3321.01, 3321.04, 3321.05, 3321.13, 3321.14,
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 3721.541, 3721.55, 3721.56, 3721.57, 3721.58, 3727.01, 3734.01, 3734.02,
 3734.28, 3734.57, 3734.901, 3734.907, 3735.58, 3737.02, 3737.83,
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The above boxed and initialed text was disapproved.
 Date: 
 John R. Kasich, Governor

5121.55, 5122.01, 5122.03, 5122.10, 5122.11, 5122.12, 5122.13, 5122.15,
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 5753.07, 5815.28, 5902.02, 5905.02, 5910.02, 5910.07, 5919.34, 5924.502,
 5924.503, 5924.504, 5924.506, 6109.21, and 6111.037 be amended; sections
 173.394 (173.38), 173.40 (173.52), 173.401 (173.521), 173.402 (173.524),
 173.403 (173.53), 173.404 (173.55), 3304.14 (3304.15), 3304.15 (3304.16),
 3304.16 (3304.14), 3304.23 (3335.60), 3304.231 (3335.61), 3313.847
 (3317.30), 3333.90 (3333.59), 3383.01 (123.28), 3383.07 (123.281),
 3701.041 (124.88), 3721.50 (5168.40), 3721.51 (5168.42), 3721.511
 (5168.43), 3721.512 (5168.44), 3721.513 (5168.45), 3721.52 (5168.46),
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 (5168.50), 3721.54 (5168.51), 3721.541 (5168.52), 3721.55 (5168.53),
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 (3737.884), 3793.01 (5119.01), 3793.031 (5119.201), 3793.032 (5119.47),

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5119.691 (5119.411), 5507.01 (128.01), 5507.02 (128.02), 5507.021 (128.021), 5507.022 (128.022), 5507.03 (128.03), 5507.06 (128.06), 5507.07 (128.07), 5507.08 (128.08), 5507.09 (128.09), 5507.12 (128.12), 5507.15 (128.15), 5507.18 (128.18), 5507.22 (128.22), 5507.25 (128.25), 5507.26 (128.26), 5507.27 (128.27), 5507.32 (128.32), 5507.34 (128.34), 5507.40 (128.40), 5507.42 (128.42), 5507.44 (128.44), 5507.46 (128.46), 5507.52 (128.52), 5507.53 (128.53), 5507.54 (128.54), 5507.55 (128.55), 5507.57 (128.57), 5507.571 (128.571), 5507.60 (128.60), 5507.63 (128.63), and 5507.99 (128.99) be amended for the purpose of adopting new section numbers as indicated in parentheses; new sections 3313.481, 3317.014, 3317.02, 3317.022, 3317.0217, 3317.051, 3317.16, 3326.39, 3345.81, and 3737.883 and sections 1.611, 103.0521, 109.921, 121.483, 122.681, 123.19, 125.27, 125.833, 126.211, 128.45, 128.461, 128.462, 128.47, 149.307, 173.51, 173.522, 173.523, 173.543, 173.545, 173.546, 173.56, 173.60, 311.172, 319.10, 321.49, 340.08, 353.01, 353.02, 353.03, 353.04, 353.05, 353.06, 353.07, 353.08, 353.09, 353.10, 353.11, 353.12, 353.13, 353.14, 353.15, 353.16, 511.261, 517.271, 721.29, 743.50, 903.30, 955.121, JRK 991.041, 1509.074, 1509.16, 1509.227, 1545.23, 1547.532, 2101.026, 2329.192, 2919.19, 2919.191, 2919.192, 2919.193, 2950.012, 3302.26, 3310.032, 3310.035, 3313.5311, 3313.5312, 3313.6018, 3313.6019, 3313.848, 3313.849, 3314.042, 3314.082, 3314.086, 3314.092, 3314.20, 3317.016, 3317.017, 3317.0213, 3317.0214, 3317.161, 3317.25, 3317.40, 3319.031, 3325.13, 3325.14, 3326.112, 3326.40, 3327.07, 3328.27, 3333.0412, 3333.124, 3333.613, 3337.16, 3345.48, 3350.15, 3365.022, JRK 3701.033, 3701.139, 3701.832, 3701.94, 3701.941, 3701.942, 3701.943, 3701.944, 3701.96, 3701.98, 3702.302, 3702.303, 3702.304, 3702.305, 3702.306, 3702.307, 3702.308, 3714.074, 3721.072, 3727.60, 3734.125, 3735.661, 3769.101, 3769.102, 3769.103, 3772.36, 4123.322, 4503.524, 4503.526, 4503.732, 4503.95, 4503.96, 4713.641, 4731.299, 4751.042, 4751.14, 4783.01, 4783.02, 4783.03, 4783.04, 4783.05, 4783.09, 4783.10, 4783.11, 4783.12, 4783.13, 4783.99, 4906.201, 4909.157, 4955.322, JRK 5101.101, 5101.804, 5103.05, 5119.28, 5119.341, 5123.023, 5124.01, JRK 5124.03, 5124.05, 5124.06, 5124.07, 5124.071, 5124.072, 5124.08, 5124.081, 5124.10, 5124.101, 5124.102, 5124.103, 5124.104, 5124.105, 5124.106, 5124.107, 5124.108, 5124.109, 5124.152, 5124.153, 5124.191, 5124.192, 5124.193, 5124.25, 5124.28, 5124.30, 5124.31, 5124.32, 5124.33, 5124.35, 5124.37, 5124.38, 5124.40, 5124.41, 5124.42, 5124.43, 5124.44, 5124.45, 5124.46, 5124.50, 5124.51, 5124.511, 5124.512, 5124.513, 5124.514, 5124.515, 5124.516, 5124.517, 5124.52, 5124.521, 5124.522,

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 Date: 5/1/15

 John R. Kasich, Governor

5124.523, 5124.524, 5124.525, 5124.526, 5124.527, 5124.528, 5124.53, 5124.67, 5124.99, 5126.131, 5160.01, 5160.011, 5160.02, 5160.021, 5160.03, 5160.04, 5160.05, 5160.051, 5160.052, 5160.06, 5160.10, 5160.11, 5160.12, 5160.13, 5160.16, 5160.20, 5160.21, 5160.22, 5160.23, 5160.30, 5160.31, 5160.371, 5160.46, 5160.47, 5160.48, 5160.481, 5160.50, 5160.52, 5160.99, 5161.01, 5162.01, 5162.02, 5162.021, 5162.022, 5162.05, 5162.06, 5162.07, 5162.12, 5162.31, 5162.60, 5162.62, 5163.01, 5163.03, 5163.04, 5163.05, 5163.06, 5163.061, 5163.07, 5163.08, 5164.01, 5164.03, 5164.30, 5164.33, 5164.55, 5164.59, 5164.60, 5164.61, 5164.71, 5164.72, 5164.73, 5164.78, 5164.881, 5164.911, 5165.02, 5165.072, 5165.082, 5165.102, 5165.103, 5165.104, 5165.105, 5165.106, 5165.109, 5165.152, 5165.154, 5165.191, 5165.193, 5165.32, 5165.33, 5165.41, 5165.42, 5165.43, 5165.44, 5165.45, 5165.46, 5165.49, 5165.771, 5166.01, 5166.16, 5167.01, 5167.02, 5168.41, 5540.18, 5703.75, 5703.76, 5703.90, 5703.91, 5703.92, 5703.93, 5705.55, 5735.013, 5736.01, 5736.02, 5736.03, 5736.04, 5736.05, 5736.06, 5736.07, 5736.08, 5736.081, 5736.09, 5736.10, 5736.11, 5736.12, 5736.13, 5736.14, 5736.99, 5741.032, 5747.71, 5910.08, and 5919.342 of the Revised Code be enacted to read as follows:

Sec. 1.611. As used in the Revised Code, "OSU extension" means the cooperative extension service that was established by the "Smith-Lever Act." 38 Stat. 372 (1914), 7 U.S.C. 341 et seq., and is administered in this state by the Ohio state university.

Sec. 9.03. (A) As used in this section:

(1) "Political subdivision" means any body corporate and politic, except a municipal corporation that has adopted a charter under Section 7 of Article XVIII, Ohio Constitution, and except a county that has adopted a charter under Sections 3 and 4 of Article X, Ohio Constitution, to which both of the following apply:

(a) It is responsible for governmental activities only in a geographic area smaller than the state.

(b) It is subject to the sovereign immunity of the state.

(2) "Cigarettes" and "tobacco product" have the same meanings as in section 5743.01 of the Revised Code.

(3) "Transaction" has the same meaning as in section 1315.51 of the Revised Code.

(4) "Campaign committee," "campaign fund," "candidate," "legislative campaign fund," "political action committee," "political committee," "political party," and "separate segregated fund" have the same meanings as in section 3517.01 of the Revised Code.

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Code, provided that the director shall not thereby incur indebtedness of or impose liability upon the state or any political subdivision.

Sec. 122.33. The director of development services shall administer the following programs:

(A) The industrial technology and enterprise development grant program, to provide capital to acquire, construct, enlarge, improve, or equip and to sell, lease, exchange, and otherwise dispose of property, structures, equipment, and facilities within the state.

Such funding may be made to enterprises that propose to develop new products or technologies when the director finds all of the following factors to be present:

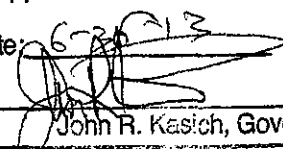
(1) The undertaking will benefit the people of the state by creating or preserving jobs and employment opportunities or improving the economic welfare of the people of the state, and promoting the development of new technology.

(2) There is reasonable assurance that the potential royalties to be derived from the sale of the product or process described in the proposal will be sufficient to repay the funding pursuant to sections 122.28 and 122.30 to 122.36 of the Revised Code and that, in making the agreement, as it relates to patents, copyrights, and other ownership rights, there is reasonable assurance that the resulting new technology will be utilized to the maximum extent possible in facilities located in Ohio.

(3) The technology and research to be undertaken will allow enterprises to compete more effectively in the marketplace. Grants of capital may be in such form and conditioned upon such terms as the ~~board~~ director deems appropriate.

(B) The industrial technology and enterprise resources program to provide for the collection, dissemination, and exchange of information regarding equipment, facilities, and business planning consultation resources available in business, industry, and educational institutions and to establish methods by which small businesses may use available facilities and resources. The methods may include, but need not be limited to, leases reimbursing the educational institutions for their actual costs incurred in maintaining the facilities and agreements assigning royalties from development of successful products or processes through the use of the facilities and resources. The director shall operate this program in conjunction with the board of regents.

(C) The Thomas Alva Edison grant program to provide grants to foster research, development, or technology transfer efforts involving enterprises and educational institutions that will lead to the creation of jobs. The JRC

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director shall utilize the Edison center network in carrying out the goals and objectives shall this program. For the purposes of this division, "Edison center network" means the six cooperative research and development facilities in this state that receive funding under this division, are nonprofit organizations, have been in existence at least eighteen years as of the effective date of this amendment, and have experience in delivering manufacturing extension partnership program services to companies in this state.

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(1) Grants may be made to a nonprofit organization or a public or private educational institution, department, college, institute, faculty member, or other administrative subdivision or related entity of an educational institution when the director finds that the undertaking will benefit the people of the state by supporting research in advanced technology areas likely to improve the economic welfare of the people of the state through promoting the development of new commercial technology.

(2) Grants may be made in a form and conditioned upon terms as the director considers appropriate.

(3) Grants made under this program shall in all instances be in conjunction with a contribution to the project by a cooperating enterprise which maintains or proposes to maintain a relevant research, development, or manufacturing facility in the state, by a nonprofit organization, or by an educational institution or related entity; however, funding provided by an educational institution or related entity shall not be from general revenue funds appropriated by the Ohio general assembly. No grant made under this program shall exceed the contribution made by the cooperating enterprise, nonprofit organization, or educational institution or related entity. The director may consider cooperating contributions in the form of state of the art new equipment or in other forms provided the director determines that the contribution is essential to the successful implementation of the project. The director may adopt rules or guidelines for the valuation of contributions of equipment or other property.

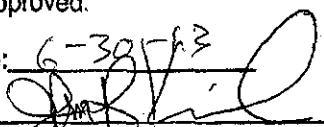
(4) The director may determine fields of research from which grant applications will be accepted under this program.

Sec. 122.34. The exercise of the powers granted by sections 122.28 and 122.30 to 122.36 of the Revised Code will be in all respects for the benefit of the people of the state, for the improvement of commerce and prosperity, improvement of employment conditions, and will constitute the performance of essential governmental functions.

Sec. 122.35. All moneys received under sections 122.28 and 122.30 to

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(E) At least once in each quinquennial period, the board shall have prepared by or under the supervision of an actuary an actuarial investigation of the deferred retirement option plan established under section 742.43 of the Revised Code. The investigation shall include an examination of the financial impact, if any, on the fund of offering the plan to members.

The actuary shall prepare a report of the actuarial investigation. The report shall include a determination of whether the plan, as established or modified, has a negative financial impact on the fund and, if so, recommendations on how to modify the plan to eliminate the negative financial impact. If the actuarial report indicates that the plan has a negative financial impact on the fund, the board may modify the plan or cease to allow members who have not already done so to elect to participate in the plan. The firefighter and police officers employers' contributions shall not be increased to offset any negative financial impact of the plan.

If the board ceases to allow members to elect to participate in the plan, the rights and obligations of members who have already elected to participate shall not be altered.

The board may include the actuarial investigation required under this division as part of the actuarial investigation required under division (B) of this section. If the report of the actuarial investigation required by this division is not included in the report required by division (B) of this section, the board shall submit the report required by this division to the Ohio retirement study council and the standing committees of the house of representatives and the senate with primary responsibility for retirement legislation not later than the first day of November following the last fiscal year of the period the report covers.

Sec. 743.50. (A) A municipal corporation that has established and implemented a watershed management program with regard to reservoirs for drinking water shall not include in the program any prohibition against maintenance of property that constitutes a buffer around a body of water that is part of such a reservoir by an owner of property that is contiguous to the buffer.

(B) A municipal corporation that has established and implemented a watershed management program with regard to reservoirs for drinking water shall not include in the program any prohibition against mowing grass, weeds, or other vegetation on municipal property that constitutes a buffer around a body of water that is part of such a reservoir by owners of property contiguous to the buffer.

(C) No peace officer or other official with authority to cite trespassers on municipal property described in this section may issue a civil or criminal

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citation to any individual who enters municipal property buffering a reservoir for the sole purpose of mowing grass, weeds, or other vegetation in an effort to beautify the municipal property that is contiguous to property owned by the individual.

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Sec. 755.06. (A) The board of park commissioners shall have the expenditures of all moneys appropriated by the legislative authority of the city or received from any other source for the purchase, acquisition, improvement, maintenance, equipment, or enjoyment of all property mentioned in section 755.05 of the Revised Code, but no liability shall be incurred or expenditure made unless the money required therefor is in the treasury to the credit of the park fund and not appropriated for any other purpose.

(B) Notwithstanding division (A) of this section, if the legislative authority of a municipal corporation enters into an agreement for the sale or lease of mineral rights regarding lands that the board of park commissioners manages or controls, any royalties or other moneys resulting from the sale or lease shall be deposited into a special fund that the legislative authority shall establish under division (F) of section 5705.09 of the Revised Code. The board of park commissioners shall use the fund exclusively for maintenance of lands that the board manages or controls and for the acquisition of new park lands.

Sec. 901.21. (A) As used in this section and section 901.22 of the Revised Code:

(1) "Agricultural easement" has the same meaning as in section 5301.67 of the Revised Code.

(2) "Agriculture" means those activities occurring on land devoted exclusively to agricultural use, as defined in section 5713.30 of the Revised Code, or on land that constitutes a homestead.

(3) "Homestead" means the portion of a farm on which is located a dwelling house, yard, or outbuildings such as a barn or garage.

(B) The director of agriculture may acquire real property used predominantly in agriculture and agricultural easements by gift, devise, or bequest if, at the time an easement is granted, such an easement is on land that is valued for purposes of real property taxation at its current value for agricultural use under section 5713.31 of the Revised Code or that constitutes a homestead. Any terms may be included in an agricultural easement so acquired that are necessary or appropriate to preserve on behalf of the grantor of the easement the favorable tax consequences of the gift, devise, or bequest under the "Internal Revenue Act of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended. The director, by any such means or by purchase

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the election period established by the director.

~~(F)~~(E) For any referendum held on an agricultural commodity marketing program, or a proposed amendment to such a program, the director or operating committee shall cause a ballot request form to be published at least thirty days before the beginning of the election period established under division ~~(E)~~(D) of this section in at least two appropriate periodicals designated by the director, and shall make the form available for reproduction to any interested group or association. The director shall provide a toll-free telephone number that producers may call to request a ballot.

(F) For the purposes of a referendum held on an egg marketing program or a proposed amendment to such a program under this section, an eligible producer is a person who is in the business of producing and marketing, or causing to be produced and marketed, eggs from a flock of more than seventy-five thousand domesticated chickens and, if the referendum is held on a proposed amendment to an egg marketing program, is subject to an assessment under the program.

Sec. 927.54. The plant pest program fund is hereby created in the state treasury. The fund shall consist of money credited to it under section 909.15 of the Revised Code and under this chapter and any rules adopted under it. The director of agriculture shall use money in the fund to administer this chapter and Chapter 909. of the Revised Code.

The director shall keep accurate records of all receipts into and disbursements from the fund and shall prepare, and provide upon request, an annual report classifying the receipts and disbursements that pertain to plant pests.

Sec. 935.01. As used in this chapter:

(A) "Board of health" means the board of health of a city or general health district or the authority having the duties of a board of health in any city authorized by section 3709.05 of the Revised Code.

(B) "Circus" means a traveling show to which all of the following apply:

(1) It is licensed by the United States department of agriculture under the federal animal welfare act.

(2) It presents dangerous wild animals, restricted snakes, or both in a public performance as its own event or as part of a fair or carnival.

(3) It does not allow physical contact between the public and the dangerous wild animals or restricted snakes possessed by it. Division (B)(3) of this section does not apply to rides or other interactions between the public and an elephant, provided that such a ride or other interaction is under the direct supervision of an experienced animal handler.

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- (4) It is in the state for less than sixty-five days each year.
- (C) "Dangerous wild animal" means any of the following, including hybrids unless otherwise specified:
- (1) Hyenas;
 - (2) Gray wolves, excluding hybrids;
 - (3) Lions;
 - (4) Tigers;
 - (5) Jaguars;
 - (6) Leopards, including clouded leopards, Sunda clouded leopards, and snow leopards;
 - (7) All of the following, including hybrids with domestic cats unless otherwise specified:
 - (a) Cheetahs;
 - (b) Lynxes, including Canadian lynxes, Eurasian lynxes, and Iberian lynxes;
 - (c) Cougars, also known as pumas or mountain lions;
 - (d) Caracals;
 - (e) Servals, excluding hybrids with domestic cats commonly known as savannah cats.
 - (8) Bears;
 - (9) Elephants;
 - (10) Rhinoceroses;
 - (11) Hippopotamuses;
 - (12) Cape buffaloes;
 - (13) African wild dogs;
 - (14) Komodo dragons;
 - (15) Alligators;
 - (16) Crocodiles;
 - (17) Caimans, excluding dwarf caimans;
 - (18) Gharials;
 - (19) Nonhuman primates other than lemurs and the nonhuman primates specified in division (C)(20) of this section;
 - (20) All of the following nonhuman primates:
 - (a) Golden lion, black-faced lion, golden-rumped lion, cotton-top, emperor, saddlebacked, black-mantled, and Geoffroy's tamarins;
 - (b) Southern and northern night monkeys;
 - (c) Dusky titi and masked titi monkeys;
 - (d) Muriquis;
 - (e) Goeldi's monkeys;
 - (f) White-faced, black-bearded, white-nose bearded, and monk sakis;

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(g) Bald and black uakaris;
 (h) ~~Black-handed, white-bellied, brown-headed, and black spider monkeys;~~

(i) Common woolly monkeys;

(j)(i) Red, black, and mantled howler monkeys.

"Dangerous wild animal" does not include a domesticated animal that is considered livestock as defined in section 901.70 of the Revised Code.

(D) "Federal animal welfare act" has the same meaning as in section 959.131 of the Revised Code.

(E) "Felony drug abuse offense" has the same meaning as in section 2925.01 of the Revised Code.

(F) "Health district" means a city or general health district created by or under the authority of Chapter 3709. of the Revised Code.

(G) "Humane society" means an organization that is organized under section 1717.05 of the Revised Code.

(H) "Law enforcement officer" means a sheriff, deputy sheriff, constable, police officer of a township or joint police district, marshal, deputy marshal, municipal police officer, or state highway patrol trooper.

(I) "Natural resources law enforcement officers" means peace officers as specified in division (A)(6) of section 109.71 of the Revised Code and employees of the division of wildlife specified in sections 1531.13 and 1531.14 of the Revised Code.

(J) "Offense of violence" has the same meaning as in section 2901.01 of the Revised Code.

(K) "Rescue facility" means a nonprofit organization as described in section 170 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 170, as amended, that operates a place of refuge where abused, neglected, unwanted, impounded, abandoned, orphaned, or displaced dangerous wild animals are provided care for their lifetime or released back to their natural habitat, and, with respect to an animal possessed by the organization, that does not do any of the following:

- (1) Sell, trade, or barter the animal or the animal's body parts;
- (2) Use the animal in any manner for profit;
- (3) Breed the animal;
- (4) Allow the public the opportunity to come into contact with the animal.

(L) "Restricted snake" means any of the following:

- (1) All of the following constricting snakes that are twelve feet or longer:

- (a) Green anacondas;

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- (b) Yellow anacondas;
- (c) Reticulated pythons;
- (d) Indian pythons;
- (e) Burmese pythons;
- (f) North African rock pythons;
- (g) South African rock pythons;
- (h) Amethystine pythons.
- (2) Species of the following families:
 - (a) Atractaspididae;
 - (b) Elapidae;
 - (c) Viperidae.
- (3) Boomsnake snakes;
- (4) Twig snakes.

(M) "Rule" means a rule adopted under section 935.17 of the Revised Code.

(N) "Veterinarian" means a person who is licensed under Chapter 4741. of the Revised Code.

(O) "Wildlife sanctuary" means a nonprofit organization as described in section 170 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 170, as amended, that is accredited or verified by the global federation of animal sanctuaries, that operates a place of refuge where abused, neglected, unwanted, impounded, abandoned, orphaned, or displaced dangerous wild animals or restricted snakes are provided care for their lifetime or released back to their natural habitat, and, with respect to an animal or snake possessed by the organization, that does not do any of the following:

- (1) Use or allow the use of the animal or snake for any type of entertainment or in a traveling exhibit;
- (2) Sell, trade, lease, loan, or barter the animal or snake or the animal's or snake's body parts;
- (3) Use or allow the use of the animal or snake in any manner for profit;
- (4) Breed the animal or snake;
- (5) Allow the public the opportunity to come into physical contact with the animal or snake.

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Sec. 935.03. (A) Division (A) of section 935.02 of the Revised Code does not apply to any of the following:

- (1) A person to which all of the following apply:
 - (a) The person possesses a dangerous wild animal.
 - (b) The person has been issued a license by the United States department of agriculture under the federal animal welfare act.

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(c) The director of agriculture has determined that the person is in the process of becoming an accredited member of the association of zoos and aquariums or the zoological association of America.

(d) The director has informed the person that the person is exempt from division (A) of section 935.02 of the Revised Code.

(2) An organization to which all of the following apply:

(a) The organization possesses a dangerous wild animal.

(b) The director has determined that the organization is in the process of being accredited or verified by the global federation of animal sanctuaries as a wildlife sanctuary.

(c) The director has informed the organization that it is exempt from division (A) of section 935.02 of the Revised Code.

(3) A person whose possession of a dangerous wild animal is authorized by an unexpired permit issued under this chapter.

(B) Except for the purposes of divisions (A) and (B) of section 935.04 of the Revised Code, this chapter does not apply to any of the following:

(1) A facility that is an accredited member of the association of zoos and aquariums or the zoological association of America and that is licensed by the United States department of agriculture under the federal animal welfare act;

(2) A research facility as defined in the federal animal welfare act;

(3) A research facility that is accredited by the association for the assessment and accreditation of laboratory animal care international;

(4) A circus;

(5) A wildlife rehabilitation facility that is issued a permit by the chief of the division of wildlife in rules adopted under section 1531.08 of the Revised Code and that rehabilitates dangerous wild animals or restricted snakes that are native to the state for the purpose of reintroduction into the wild;

(6) A veterinarian that is providing temporary veterinary care to a dangerous wild animal or restricted snake;

(7) A wildlife sanctuary;

(8) An individual who does not reside in this state, is traveling through this state with a dangerous wild animal or restricted snake, and does all of the following:

(a) Confines the animal or snake in a cage at all times;

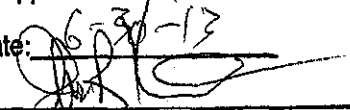
(b) Confines the animal or snake in a cage that is not accessible to the public;

(c) Does not exhibit the animal or snake;

(d) Is in the state not more than forty-eight hours unless the animal or

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snake is receiving veterinary care.

(9) An educational institution that displays a single dangerous wild animal as a sports mascot and that meets all of the following criteria:

(a) An official of the educational institution has submitted an affidavit attesting that the institution will care for the animal as long as the animal lives and in a facility that is an accredited member of the association of zoos and aquariums or the zoological association of America.

(b) The educational institution maintains a liability insurance policy with an insurer authorized or approved to write such insurance in this state that covers claims for injury or damage to persons or property caused by a dangerous wild animal. The amount of the insurance coverage shall be not less than one million dollars.

(c) During display and transport, the educational institution confines the dangerous wild animal in a cage that does not permit physical contact between the animal and the public.

(d) The educational institution began displaying a dangerous wild animal as a mascot prior to the effective date of this section September 5, 2012.

(10) Any person who has been issued a permit under section 1533.08 of the Revised Code;

(11) Any person authorized to possess a dangerous wild animal or restricted snake under section 1531.25 of the Revised Code or rules adopted under it;

~~(12) A mobility impaired person as defined in section 955.011 of the Revised Code who possesses a dangerous wild animal specified in division (C)(20)(h) of section 935.01 of the Revised Code that has been trained by a nonprofit agency or is in such training to assist the mobility impaired person;~~

~~(13) A deaf or hearing impaired person who possesses a dangerous wild animal specified in division (C)(20)(h) of section 935.01 of the Revised Code that has been trained by a nonprofit agency or is in such training to assist the deaf or hearing impaired person;~~

~~(14) A person who is blind as defined in section 955.011 of the Revised Code and possesses a dangerous wild animal specified in division (C)(20)(h) of section 935.01 of the Revised Code that has been trained by a nonprofit agency or is in such training to assist the blind person.~~

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Sec. 935.041. A person that possesses any of the following animals shall register the animal in the same manner as provided in section 935.04 of the Revised Code:

(A) Pygmy, white-tufted-ear, silvery, and black-pencilled marmosets;

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(B) Squirrel monkeys;
 (C) Brown, white-faced, weeping, and white-fronted capuchins;
 (D) Lemurs;
 (E) Black-handed, white-bellied, brown-headed, and black spider monkeys.

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Sec. 935.07. (A) A person that possesses a registered dangerous wild animal in this state on October 1, 2013, that wishes to continue to possess the dangerous wild animal on and after January 1, 2014, and that intends to propagate the animal solely for the purposes of a species survival program that complies with rules shall apply for a wildlife propagation permit under this section. An applicant need apply for only one permit regardless of the number of dangerous wild animals that the applicant possesses.

(B) Except as otherwise provided in this section, an applicant for a wildlife propagation permit shall comply with the requirements and procedures established in sections 935.05 and 935.06 of the Revised Code. The application fee for a wildlife propagation permit shall be one of the following, as applicable:

- (1) One thousand dollars if the applicant possesses not more than fifty dangerous wild animals;
- (2) Three thousand dollars if the applicant possesses more than fifty dangerous wild animals.

(C) The facility at which a dangerous wild animal or dangerous wild animals will be maintained under a wildlife propagation permit shall consist of at least two acres. Division (C) of this section does not apply to either of the following:

- (1) Dangerous wild animals specified in division (C)(20) of section 935.01 of the Revised Code;
- (2) An applicant to whom the director of agriculture issues a written waiver stating that the acreage requirement does not apply to the applicant.

(D) All fees collected under this section shall be credited to the dangerous and restricted animal fund created in section 935.25 of the Revised Code.

(E) Division (A)(4) of section 935.06 of the Revised Code does not apply to an applicant for a wildlife propagation permit.

Sec. 935.12. (A) Except as provided in division (B) of this section, a person that has been issued a permit under this chapter for a dangerous wild animal or animals shall comply with the requirements regarding the care and housing of dangerous wild animals established in rules.

(B) A person that has been issued a wildlife shelter, wildlife propagation permit, or rescue facility permit under this chapter for a dangerous wild

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assigned by the district superintendent pursuant to section 3319.01 of the Revised Code.

(C) In order to participate in any extracurricular activity under this section, the student shall fulfill the same academic, nonacademic, and financial requirements as any other participant, including the rules and policies adopted by the school district under section 3313.535 of the Revised Code. The school district board of education may require a community school student to enroll and participate in no more than one academic course at the school offering the extracurricular activity as a condition to participating in the activity. In that case, the board shall admit students seeking to enroll in an academic course to fulfill the requirement as space allows after first enrolling students assigned to that school.

(D) No school district board of education shall take any action contrary to the provisions of this section.

(E) No school or school district shall impose fees for a student to participate under this section that exceed any fees charged to other students participating in the same extracurricular activity.

(E)(F) No school district, interscholastic conference, or organization that regulates interscholastic conferences or events shall require a student who is eligible to participate in extracurricular activities under this section to meet eligibility requirements that conflict with this section.

Sec. 3313.539. (A) As used in this section, "physician":

"Physician" means a person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

"Chiropractor" means a person licensed under Chapter 4734. of the Revised Code to practice chiropractic.

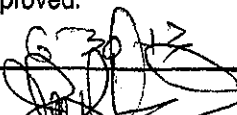
(B) No school district board of education or governing authority of a chartered or nonchartered nonpublic school shall permit a student to practice for or compete in interscholastic athletics until the student has submitted, to a school official designated by the board or governing authority, a form signed by the parent, guardian, or other person having care or charge of the student stating that the student and the parent, guardian, or other person having care or charge of the student have received the concussion and head injury information sheet required by section 3707.52 of the Revised Code. A completed form shall be submitted each school year, as defined in section 3313.62 of the Revised Code, for each sport or other category of interscholastic athletics for or in which the student practices or competes.

(C)(1) No school district board of education or governing authority of a chartered or nonchartered nonpublic school shall permit an individual to

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coach interscholastic athletics unless the individual holds a pupil-activity program permit issued under section 3319.303 of the Revised Code for coaching interscholastic athletics.

(2) No school district board of education or governing authority of a chartered or nonchartered nonpublic school shall permit an individual to referee interscholastic athletics unless the individual holds a pupil-activity program permit issued under section 3319.303 of the Revised Code for coaching interscholastic athletics or presents evidence that the individual has successfully completed, within the previous three years, a training program in recognizing the symptoms of concussions and head injuries to which the department of health has provided a link on its internet web site under section 3707.52 of the Revised Code or a training program authorized and required by an organization that regulates interscholastic conferences or events.

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(D) If a student practicing for or competing in an interscholastic athletic event exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury while participating in the practice or competition, the student shall be removed from the practice or competition by either of the following:


- (1) The individual who is serving as the student's coach during that practice or competition;
- (2) An individual who is serving as a referee during that practice or competition.

(E)(1) If a student is removed from practice or competition under division (D) of this section, the coach or referee who removed the student shall not allow the student, on the same day the student is removed, to return to that practice or competition or to participate in any other practice or competition for which the coach or referee is responsible. Thereafter, the coach or referee shall not allow the student to return to that practice or competition or to participate in any other practice or competition for which the coach or referee is responsible until both of the following conditions are satisfied:

- (a) The student's condition is assessed by ~~either~~ any of the following:
 - (i) A physician;
 - (ii) A chiropractor;
 - (iii) Any other licensed health care provider the school district board of education or governing authority of the chartered or nonchartered nonpublic school, pursuant to division (E)(2) of this section, authorizes to assess a student who has been removed from practice or competition under division (D) of this section.

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(b) The student receives written clearance that it is safe for the student to return to practice or competition from a physician, chiropractor, or ~~from~~ another licensed health care provider authorized pursuant to division (E)(2) of this section to grant the clearance.

(2) A school district board of education or governing authority of a chartered or nonchartered nonpublic school may authorize a licensed health care provider who is not a physician or a chiropractor to make an assessment or grant a clearance for purposes of division (E)(1) of this section only if the provider is acting in accordance with one of the following, as applicable to the provider's authority to practice in this state:

- (a) In consultation with a physician;
- (b) Pursuant to the referral of a physician;
- (c) In collaboration with a physician;
- (d) Under the supervision of a physician.

(3) A physician, chiropractor, or other licensed health care provider who makes an assessment or grants a clearance for purposes of division (E)(1) of this section may be a volunteer.

(F) A school district board of education or governing authority of a chartered or nonchartered nonpublic school that is subject to the rules of an interscholastic conference or an organization that regulates interscholastic conferences or events shall be considered to be in compliance with divisions (B), (D), and (E) of this section, as long as the requirements of those rules are substantially similar to the requirements of divisions (B), (D), and (E) of this section.

(G)(1) A school district, member of a school district board of education, or school district employee or volunteer, including a coach or referee, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.

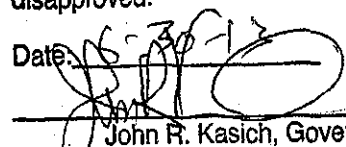
This section does not eliminate, limit, or reduce any other immunity or defense that a school district, member of a school district board of education, or school district employee or volunteer, including a coach or referee, may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(2) A chartered or nonchartered nonpublic school or any officer, director, employee, or volunteer of the school, including a coach or referee, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton

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JK misconduct. ~~_____~~

Sec. 3313.5311. (A) As used in this section and in section 3313.5312 of the Revised Code, "extracurricular activity" has the same meaning as in section 3313.537 of the Revised Code.

(B) If the nonpublic school in which the student is enrolled does not offer the extracurricular activity, a student enrolled in a chartered or nonchartered nonpublic school shall be afforded, by the superintendent of the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code, the opportunity to participate in that extracurricular activity at the district school to which the student otherwise would be assigned during that school year. If more than one school operated by the school district serves the student's grade level, as determined by the district superintendent based on the student's age and academic performance, the student shall be afforded the opportunity to participate in that extracurricular activity at the school to which the student would be assigned by the superintendent under section 3319.01 of the Revised Code.

(C) The superintendent of any school district may afford any student enrolled in a nonpublic school, and who is not entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code, the opportunity to participate in an extracurricular activity offered by a school of the district, if both of the following apply:

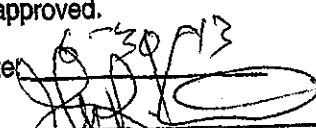
(1) The nonpublic school in which the student is enrolled does not offer the extracurricular activity;

(2) The extracurricular activity is not interscholastic athletics or interscholastic contests or competition in music, drama, or forensics.

(D) In order to participate in an extracurricular activity under this section, the student shall be of the appropriate age and grade level, as determined by the superintendent of the district, for the school that offers the extracurricular activity, and shall fulfill the same academic, nonacademic, and financial requirements as any other participant.

(E) No school district shall impose additional rules on a student to participate under this section that do not apply to other students participating in the same extracurricular activity. No district shall impose additional fees for a student to participate under this section that exceed any fees charged to other students participating in the same extracurricular activity.

(F) No school district, interscholastic conference, or organization that regulates interscholastic conferences or events shall require a student who is eligible to participate in interscholastic extracurricular activities under this section to meet eligibility requirements that conflict with this section.

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(C) The department shall pay each institution approved for career-technical education units under division (A) of this section an amount for the total of all the units approved under that division. The amount for each unit shall be the sum of the minimum salary for the teacher of the unit, calculated on the basis of the teacher's training level and years of experience pursuant to the salary schedule prescribed in the version of section 3317.13 of the Revised Code in effect prior to July 1, 2001, plus fifteen per cent of that minimum salary amount, and nine thousand five hundred ten dollars. Each institution that receives unit funds under this division annually shall report to the department on the delivery of services and the performance of students and any other information required by the department to evaluate the institution's career-technical education program.

(D) For each unit allocated to an institution pursuant to division (A) of this section, the department, in addition to the amount specified in division (B) of this section, shall pay a supplemental unit allowance of \$7,227.

Sec. 3317.051. (A) As used in this section, "gifted unit ADM" means a school district's formula ADM minus the number of students reported by a district under divisions (A)(2)(a) and (i) of section 3317.03 of the Revised Code.

(B) The department of education shall compute and pay to a school district funds based on units for services to students identified as gifted under Chapter 3324. of the Revised Code as prescribed by this section.

(C) The department shall allocate gifted units for a school district as follows:

(1) One gifted coordinator unit shall be allocated for every 3,300 students in a district's gifted unit ADM, with a minimum of 0.5 units and a maximum of 8 units allocated for the district.

(2) One gifted intervention specialist unit shall be allocated for every 1,100 students in a district's gifted unit ADM, with a minimum of 0.3 units allocated for the district.

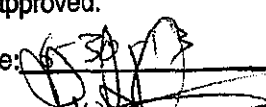
(D) The department shall pay the following amount to a school district for gifted units:

(1) In fiscal year 2014, \$37,000 multiplied by the number of units allocated to a school district under division (C) of this section:

(2) In fiscal year 2015, \$37,370 multiplied by the number of units allocated to a school district under division (C) of this section.

A school district shall use the funds it receives for units allocated under division (C)(1) of this section only for gifted coordinator services as prescribed by the department. Qualified personnel shall be employed by the district for this purpose on a full-time equivalency basis that corresponds to

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the number of units allocated to the district under division (C)(1) of this section.

A school district shall use the funds it receives for units allocated under division (C)(2) of this section only for gifted intervention specialist services as prescribed by the department. Qualified personnel shall be employed by the district for this purpose on a full-time equivalency basis that corresponds to the number of units allocated to the district under division (C)(2) of this section.

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(E) A school district may assign gifted unit funding that it receives under division (D) of this section to another school district, an educational service center, a community school, or a STEM school as part of an arrangement to provide services to the district as follows:

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(1) Funds received for units allocated under division (C)(1) of this section may be assigned to a district, service center, or school that employs qualified gifted coordinators;

(2) Funds received for units allocated under division (C)(2) of this section may be assigned to a district, service center, or school that employs qualified gifted intervention specialists.

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Sec. 3317.06. Moneys paid to school districts under division (E) of section 3317.024 of the Revised Code shall be used for the following independent and fully severable purposes:

(A) To purchase such secular textbooks or ~~electronic textbooks~~ digital texts as have been approved by the superintendent of public instruction for use in public schools in the state and to loan such textbooks or ~~electronic textbooks~~ digital texts to pupils attending nonpublic schools within the district or to their parents and to hire clerical personnel to administer such lending program. Such loans shall be based upon individual requests submitted by such nonpublic school pupils or parents. Such requests shall be submitted to the school district in which the nonpublic school is located. Such individual requests for the loan of textbooks or ~~electronic textbooks~~ digital texts shall, for administrative convenience, be submitted by the nonpublic school pupil or the pupil's parent to the nonpublic school, which shall prepare and submit collective summaries of the individual requests to the school district. As used in this section:

(1) "Textbook" means any book or book substitute that a pupil uses as a consumable or nonconsumable text, text substitute, or text supplement in a particular class or program in the school the pupil regularly attends.

(2) "~~Electronic textbook~~" "Digital text" means any a consumable book or book substitute that a student accesses through the use of a computer or other electronic medium or that is available through an internet-based

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(5) Request the Ohio facilities construction commission to debar a contractor as provided in section 153.02 of the Revised Code.

(B) ~~The Ohio school facilities commission shall appoint and fix the compensation of an executive director who~~ of the Ohio facilities construction commission, as appointed under division (B) of section 123.21 of the Revised Code, shall also serve at the pleasure of as the executive director for the Ohio school facilities commission. The executive director shall exercise all powers that the Ohio school facilities commission possesses, supervise the operations of the Ohio school facilities commission and perform such other duties as delegated by the Ohio school facilities commission. The executive director also shall employ and fix the compensation of such employees as will facilitate the activities and purposes of the Ohio school facilities commission, who shall serve at the pleasure of the executive director. The employees of the Ohio school facilities commission shall be exempt from Chapter 4117. of the Revised Code and shall not be public employees as defined in section 4117.01 of the Revised Code. Any agreement entered into prior to July 1, 2012, between the office of collective bargaining and the exclusive representative for employees of the commission is binding and shall continue to have effect.

(C) The attorney general shall serve as the legal representative for the Ohio school facilities commission and may appoint other counsel as necessary for that purpose in accordance with section 109.07 of the Revised Code.

Sec. 3318.36. (A)(1) As used in this section:

(a) "Ohio school facilities commission," "classroom facilities," "school district," "school district board," "net bonded indebtedness," "required percentage of the basic project costs," "basic project cost," "valuation," and "percentile" have the same meanings as in section 3318.01 of the Revised Code.

(b) "Required level of indebtedness" means five per cent of the school district's valuation for the year preceding the year in which the commission and school district enter into an agreement under division (B) of this section, plus [two one-hundredths of one per cent multiplied by (the percentile in which the district ranks minus one)].

(c) "Local resources" means any moneys generated in any manner permitted for a school district board to raise the school district portion of a project undertaken with assistance under sections 3318.01 to 3318.20 of the Revised Code.

(d) "Tangible personal property phase-out impacted district" means a school district for which the taxable value of its tangible personal property

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certified under division (A)(2) of section 3317.021 of the Revised Code for tax year 2005, excluding the taxable value of public utility personal property, made up eighteen per cent or more of its total taxable value for tax year 2005 as certified under that section.

(2) For purposes of determining the required level of indebtedness, the required percentage of the basic project costs under division (C)(1) of this section, and priority for assistance under sections 3318.01 to 3318.20 of the Revised Code, the percentile ranking of a school district with which the commission has entered into an agreement under this section between the first day of July and the thirty-first day of August in each fiscal year is the percentile ranking calculated for that district for the immediately preceding fiscal year, and the percentile ranking of a school district with which the commission has entered into such agreement between the first day of September and the thirtieth day of June in each fiscal year is the percentile ranking calculated for that district for the current fiscal year. However, in the case of a tangible personal property phase-out impacted district, the district's priority for assistance under sections 3318.01 to 3318.20 of the Revised Code and its portion of the basic project cost under those sections shall be determined in the manner prescribed, respectively, in divisions (B)(3)(b) and (E)(1)(b) of this section.

(B)(1) There is hereby established the school building assistance expedited local partnership program. Under the program, the Ohio school facilities commission may enter into an agreement with the board of any school district under which the board may proceed with the new construction or major repairs of a part of the district's classroom facilities needs, as determined under sections 3318.01 to 3318.20 of the Revised Code, through the expenditure of local resources prior to the school district's eligibility for state assistance under those sections, and may apply that expenditure toward meeting the school district's portion of the basic project cost of the total of the district's classroom facilities needs, as recalculated under division (E) of this section, when the district becomes eligible for state assistance under sections 3318.01 to 3318.20 or section 3318.364 of the Revised Code. Any school district that is reasonably expected to receive assistance under sections 3318.01 to 3318.20 of the Revised Code within two fiscal years from the date the school district adopts its resolution under division (B) of this section shall not be eligible to participate in the program established under this section.

(2) To participate in the program, a school district board shall first adopt a resolution certifying to the commission the board's intent to participate in the program.

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The resolution shall specify the approximate date that the board intends to seek elector approval of any bond or tax measures or to apply other local resources to use to pay the cost of classroom facilities to be constructed under this section. The resolution may specify the application of local resources or elector-approved bond or tax measures after the resolution is adopted by the board, and in such case the board may proceed with a discrete portion of its project under this section as soon as the commission and the controlling board have approved the basic project cost of the district's classroom facilities needs as specified in division (D) of this section. The board shall submit its resolution to the commission not later than ten days after the date the resolution is adopted by the board.

The commission shall not consider any resolution that is submitted pursuant to division (B)(2) of this section, as amended by this amendment, sooner than September 14, 2000.

(3) For purposes of determining when a district that enters into an agreement under this section becomes eligible for assistance under sections 3318.01 to 3318.20 of the Revised Code or priority for assistance under section 3318.364 of the Revised Code, the commission shall use one of the following as applicable:

(a) Except for a tangible personal property phase-out impacted district, the district's percentile ranking determined at the time the district entered into the agreement under this section, as prescribed by division (A)(2) of this section;

(b) For a tangible personal property phase-out impacted district, the lesser of (i) the district's percentile ranking determined at the time the district entered into the agreement under this section, as prescribed by division (A)(2) of this section, or (ii) the district's current percentile ranking under section 3318.011 of the Revised Code.

(4) Any project under this section shall comply with section 3318.03 of the Revised Code and with any specifications for plans and materials for classroom facilities adopted by the commission under section 3318.04 of the Revised Code.

(5) If a school district that enters into an agreement under this section has not begun a project applying local resources as provided for under that agreement at the time the district is notified by the commission that it is eligible to receive state assistance under sections 3318.01 to 3318.20 of the Revised Code, all assessment and agreement documents entered into under this section are void.

(6) Only construction of or repairs to classroom facilities that have been approved by the commission and have been therefore included as part of a

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district's basic project cost qualify for application of local resources under this section.

(C) Based on the results of on-site visits and assessment, the commission shall determine the basic project cost of the school district's classroom facilities needs. The commission shall determine the school district's portion of such basic project cost, which shall be the greater of:

(1) The required percentage of the basic project costs, determined based on the school district's percentile ranking;

(2) An amount necessary to raise the school district's net bonded indebtedness, as of the fiscal year the commission and the school district enter into the agreement under division (B) of this section, to within five thousand dollars of the required level of indebtedness.

(D)(1) When the commission determines the basic project cost of the classroom facilities needs of a school district and the school district's portion of that basic project cost under division (C) of this section, the project shall be conditionally approved. Such conditional approval shall be submitted to the controlling board for approval thereof. The controlling board shall forthwith approve or reject the commission's determination, conditional approval, and the amount of the state's portion of the basic project cost; however, no state funds shall be encumbered under this section. Upon approval by the controlling board, the school district board may identify a discrete part of its classroom facilities needs, which shall include only new construction of or additions or major repairs to a particular building, to address with local resources. Upon identifying a part of the school district's basic project cost to address with local resources, the school district board may allocate any available school district moneys to pay the cost of that identified part, including the proceeds of an issuance of bonds if approved by the electors of the school district.

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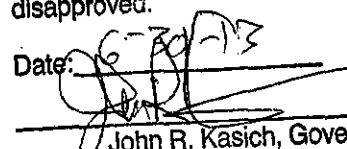
All local resources utilized under this division shall first be deposited in the project construction account required under section 3318.08 of the Revised Code.

(2) Unless the school district board exercises its option under division (D)(3) of this section, for a school district to qualify for participation in the program authorized under this section, one of the following conditions shall be satisfied:

(a) The electors of the school district by a majority vote shall approve the levy of taxes outside the ten-mill limitation for a period of twenty-three years at the rate of not less than one-half mill for each dollar of valuation to be used to pay the cost of maintaining the classroom facilities included in the basic project cost as determined by the commission. The form of the

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ballot to be used to submit the question whether to approve the tax required under this division to the electors of the school district shall be the form for an additional levy of taxes prescribed in section 3318.361 of the Revised Code, which may be combined in a single ballot question with the questions prescribed under section 5705.218 of the Revised Code.

(b) As authorized under division (C) of section 3318.05 of the Revised Code, the school district board shall earmark from the proceeds of a permanent improvement tax levied under section 5705.21 of the Revised Code, an amount equivalent to the additional tax otherwise required under division (D)(2)(a) of this section for the maintenance of the classroom facilities included in the basic project cost as determined by the commission.

(c) As authorized under section 3318.051 of the Revised Code, the school district board shall, if approved by the commission, annually transfer into the maintenance fund required under section 3318.05 of the Revised Code the amount prescribed in section 3318.051 of the Revised Code in lieu of the tax otherwise required under division (D)(2)(a) of this section for the maintenance of the classroom facilities included in the basic project cost as determined by the commission.

(d) If the school district board has rescinded the agreement to make transfers under section 3318.051 of the Revised Code, as provided under division (F) of that section, the electors of the school district, in accordance with section 3318.063 of the Revised Code, first shall approve the levy of taxes outside the ten-mill limitation for the period specified in that section at a rate of not less than one-half mill for each dollar of valuation.

(e) The school district board shall apply the proceeds of a tax to leverage bonds as authorized under section 3318.052 of the Revised Code or dedicate a local donated contribution in the manner described in division (B) of section 3318.084 of the Revised Code in an amount equivalent to the additional tax otherwise required under division (D)(2)(a) of this section for the maintenance of the classroom facilities included in the basic project cost as determined by the commission.

(3) A school district board may opt to delay taking any of the actions described in division (D)(2) of this section until the school district becomes eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code. In order to exercise this option, the board shall certify to the commission a resolution indicating the board's intent to do so prior to entering into an agreement under division (B) of this section.

(4) If pursuant to division (D)(3) of this section a district board opts to delay levying an additional tax until the district becomes eligible for state assistance, it shall submit the question of levying that tax to the district

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electors as follows:

(a) In accordance with section 3318.06 of the Revised Code if it will also be necessary pursuant to division (E) of this section to submit a proposal for approval of a bond issue;

(b) In accordance with section 3318.361 of the Revised Code if it is not necessary to also submit a proposal for approval of a bond issue pursuant to division (E) of this section.

(5) No state assistance under sections 3318.01 to 3318.20 of the Revised Code shall be released until a school district board that adopts and certifies a resolution under division (D) of this section also demonstrates to the satisfaction of the commission compliance with the provisions of division (D)(2) of this section.

Any amount required for maintenance under division (D)(2) of this section shall be deposited into a separate fund as specified in division (B) of section 3318.05 of the Revised Code.

(E)(1) If the school district becomes eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code based on its percentile ranking under division (B)(3) of this section or is offered assistance under section 3318.364 of the Revised Code, the commission shall conduct a new assessment of the school district's classroom facilities needs and shall recalculate the basic project cost based on this new assessment. The basic project cost recalculated under this division shall include the amount of expenditures made by the school district board under division (D)(1) of this section. The commission shall then recalculate the school district's portion of the new basic project cost, which shall be one of the following as applicable:

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(a) Except for a tangible personal property phase-out impacted district, the percentage of the original basic project cost assigned to the school district as its portion under division (C) of this section;

(b) For a tangible personal property phase-out impacted district, the lesser of (i) the percentage of the original basic project cost assigned to the school district as its portion under division (C) of this section, or (ii) the percentage of the new basic project cost determined under section 3318.032 of the Revised Code using the district's current percentile ranking under section 3318.011 of the Revised Code. The

The commission shall deduct the expenditure of school district moneys made under division (D)(1) of this section from the school district's portion of the basic project cost as recalculated under this division. If the amount of school district resources applied by the school district board to the school district's portion of the basic project cost under this section is less than the

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total amount of such portion as recalculated under this division, the school district board by a majority vote of all of its members shall, if it desires to seek state assistance under sections 3318.01 to 3318.20 of the Revised Code, adopt a resolution as specified in section 3318.06 of the Revised Code to submit to the electors of the school district the question of approval of a bond issue in order to pay any additional amount of school district portion required for state assistance. Any tax levy approved under division (D) of this section satisfies the requirements to levy the additional tax under section 3318.06 of the Revised Code.

(2) If the amount of school district resources applied by the school district board to the school district's portion of the basic project cost under this section is more than the total amount of such portion as recalculated under ~~this division (E)(1) of this section~~, within one year after the school district's portion is so recalculated under division (E)(1) of this section the commission may grant to the school district the difference between the two calculated portions, but at no time shall the commission expend any state funds on a project in an amount greater than the state's portion of the basic project cost as recalculated under ~~this division (E)(1) of this section~~.

Any reimbursement under this division shall be only for local resources the school district has applied toward construction cost expenditures for the classroom facilities approved by the commission, which shall not include any financing costs associated with that construction.

The school district board shall use any moneys reimbursed to the district under this division to pay off any debt service the district owes for classroom facilities constructed under its project under this section before such moneys are applied to any other purpose. However, the district board first may deposit moneys reimbursed under this division into the district's general fund or a permanent improvement fund to replace local resources the district withdrew from those funds, as long as, and to the extent that, those local resources were used by the district for constructing classroom facilities included in the district's basic project cost.

(3) A tangible personal property phase-out impacted district shall receive credit under division (E) of this section for the expenditure of local resources pursuant to any prior agreement authorized by this section, notwithstanding any recalculation of its average taxable value.

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Sec. 3318.363. (A) This section applies beginning in fiscal year 2003 and only to a school district participating in the school building assistance expedited local partnership program under section 3318.36 of the Revised Code.

(B) If there is a decrease in the tax valuation of a school district to

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are designed to assist individuals who show a commitment to education become licensed teachers, to assist experienced teachers obtain licensure in subject areas for which there is need, and to assist teachers in becoming principals;

(7) The provision of better conditions for new teachers, such as reduced teaching load and reduced class size;

(8) The provision of incentives to attract qualified mathematics, science, or special education teachers;

(9) The development and implementation of a partnership with teacher preparation programs at colleges and universities to help attract teachers qualified to teach in shortage areas;

(10) The implementation of a program to increase the cultural competency of both new and veteran teachers;

(11) The implementation of a program to increase the subject matter competency of veteran teachers.

(B) To qualify for a grant to implement one of the innovations described in division (A) of this section, a school must meet both of the following criteria:

(1) Be hard to staff, as defined by the department.

(2) Use existing school district funds for the implementation of the innovation in an amount equal to the grant amount multiplied by (1 - the district's state share ~~percentage~~ index for the fiscal year in which the grant is awarded).

For purposes of division (B)(2) of this section, "state share ~~percentage~~ index" has the same meaning as in section 3317.02 of the Revised Code.

(C) The amount and number of grants awarded under this section shall be determined by the department based on any appropriations made by the general assembly for grants under this section.

(D) The state board of education shall adopt rules for the administration of this grant program.

Sec. 3319.58. (A) As used in this section, "core subject area" has the same meaning as in section 3319.074 of the Revised Code.

(B) Each year, beginning with the 2015-2016 school year, the board of education of each city, exempted village, local, and joint vocational school district shall require each classroom teacher who is currently teaching in a core subject area and has received a rating of ineffective on the evaluations conducted under section 3319.111 of the Revised Code for two of the three most recent school years to register for and take all written examinations of content knowledge selected by the department of education as appropriate to determine expertise to teach that core subject area and the grade level to

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which the teacher is assigned.

(C) Each year, beginning with the 2015-2016 school year, the governing authority of each community school established under Chapter 3314. of the Revised Code, except a community school to which section 3314.017 of the Revised Code applies or a community school described in division (A)(4)(b) of section 3314.35 of the Revised Code. and governing body of each STEM school established under Chapter 3326. of the Revised Code with a building ranked in the lowest ten per cent of all public school buildings according to performance index score, under section 3302.21 of the Revised Code, shall require each classroom teacher currently teaching in a core subject area in such a building to register for and take all written examinations of content knowledge selected by the department as appropriate to determine expertise to teach that core subject area and the grade level to which the teacher is assigned.

(D) If a teacher who takes an examination under division (B) of this section passes that examination and provides proof of that passage to the teacher's employer, the employer shall require the teacher, at the teacher's expense, to complete professional development that is targeted to the deficiencies identified in the teacher's evaluations conducted under section 3319.111 of the Revised Code. The receipt by the teacher of a rating of ineffective on the teacher's next evaluation after completion of the professional development, or the failure of the teacher to complete the professional development, shall be grounds for termination of the teacher under section 3319.16 of the Revised Code.

(E) If a teacher who takes an examination under this section passes that examination and provides proof of that passage to the teacher's employer, the teacher shall not be required to take the examination again for three years, regardless of the teacher's evaluation ratings or the performance index score ranking of the building in which the teacher teaches. No teacher shall be responsible for the cost of taking an examination under this section.

(F) Each district board of education, each community school governing authority, and each STEM school governing body may use the results of a teacher's examinations required under division (B) or (C) of this section in developing and revising professional development plans and in deciding whether or not to continue employing the teacher in accordance with the provisions of this chapter or Chapter 3314. or 3326. of the Revised Code. However, no decision to terminate or not to renew a teacher's employment contract shall be made solely on the basis of the results of a teacher's examination under this section until and unless the teacher has not attained a passing score on the same required examination for at least three

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consecutive administrations of that examination. JRK

Sec. 3321.01. (A)(1) As used in this chapter, "parent," "guardian," or "other person having charge or care of a child" means either parent unless the parents are separated or divorced or their marriage has been dissolved or annulled, in which case "parent" means the parent who is the residential parent and legal custodian of the child. If the child is in the legal or permanent custody of a person or government agency, "parent" means that person or government agency. When a child is a resident of a home, as defined in section 3313.64 of the Revised Code, and the child's parent is not a resident of this state, "parent," "guardian," or "other person having charge or care of a child" means the head of the home.

A child between six and eighteen years of age is "of compulsory school age" for the purpose of sections 3321.01 to 3321.13 of the Revised Code. A child under six years of age who has been enrolled in kindergarten also shall be considered "of compulsory school age" for the purpose of sections 3321.01 to 3321.13 of the Revised Code unless at any time the child's parent or guardian, at the parent's or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten. The compulsory school age of a child shall not commence until the beginning of the term of such schools, or other time in the school year fixed by the rules of the board of the district in which the child resides.

~~(2) No child shall be admitted to a kindergarten or a first grade of a public school in~~ In a district in which all children are admitted to kindergarten and the first grade in August or September ~~unless, a child shall be admitted if~~ the child is five or six years of age, respectively, by the thirtieth day of September of the year of admittance, or by the first day of a term or semester other than one beginning in August or September in school districts granting admittance at the beginning of such term or semester; ~~unless the child has been recommended for early admittance in accordance with the district's acceleration policy adopted under section 3324.10 of the Revised Code.~~ A child who does not meet the age ~~requirement~~ requirements of this section for admittance to kindergarten or first grade, but who will be five or six years old, respective, prior to the first day of January of the school year in which admission is requested, shall be evaluated for early admittance in accordance with district policy upon referral by the child's parent or guardian, an educator employed by the district, a preschool educator who knows the child, or a pediatrician or psychologist who knows the child. Following an evaluation in accordance with a referral under this section, the district board shall decide whether to admit the child. If a child for whom admission to kindergarten or first grade is requested will not be

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and take such actions as are necessary to encourage vaccination against those diseases.

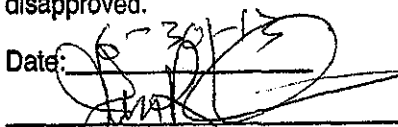
The department may make special or standing orders or rules for preventing the use of fluoroscopes for nonmedical purposes which ~~that~~ emit doses of radiation likely to be harmful to any person, for preventing the spread of contagious or infectious diseases, for governing the receipt and conveyance of remains of deceased persons, and for such other sanitary matters as are best controlled by a general rule. Whenever possible, the department shall work in cooperation with the health commissioner of a general or city health district. ~~It~~ The department may make and enforce orders in local matters or reassign substantive authority for mandatory programs from a general or city health district to another general or city health district when an emergency exists, or when the board of health of a general or city health district has neglected or refused to act with sufficient promptness or efficiency, or when such board has not been established as provided by sections 3709.02, 3709.03, 3709.05, 3709.06, 3709.11, 3709.12, and 3709.14 of the Revised Code. In such cases, the necessary expense incurred shall be paid by the general health district or city for which the services are rendered.

The department of health may require general or city health districts to enter into agreements for shared services under section 9.482 of the Revised Code. The department shall prepare and offer to boards of health a model contract and memorandum of understanding that are easily adaptable for use by boards of health when entering into shared services agreements. The department also may offer financial and other technical assistance to boards of health to encourage the sharing of services.

As a condition precedent to receiving funding from the department of health, the director of health may require general or city health districts to apply for accreditation by July 1, 2018, and be accredited by July 1, 2020, by an accreditation body approved by the director. The director of health, by July 1, 2016, shall conduct an evaluation of general and city health district preparation for accreditation, including an evaluation of each district's reported public health quality indicators as provided for in section 3701.98 of the Revised Code.

The department may make evaluative studies of the nutritional status of Ohio residents, and of the food and nutrition-related programs operating within the state. Every agency of the state, at the request of the department, shall provide information and otherwise assist in the execution of such studies.

Sec. 3701.139. (A) The hope for a smile program is hereby established JKIC

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as a collaboration between the department of health and the following entities:

- (1) The Ohio dental association;
- (2) The Ohio dental hygienists association;
- (3) The Ohio state university college of dentistry and the dental hygiene program at that college;
- (4) Case western reserve university school of dental medicine;
- (5) Shawnee state university;
- (6) James A. Rhodes state college;
- (7) Columbus state community college;
- (8) Cuyahoga community college, metropolitan campus;
- (9) Youngstown state university;
- (10) Lorain county community college;
- (11) Lakeland community college;
- (12) University of Cincinnati;
- (13) Sinclair community college;
- (14) Owens community college;
- (15) Stark state college.

The primary objective of the program is to improve the oral health of school-age children, which the general assembly declares to be one of the most unmet health care needs of this state. Services provided under the program shall be targeted at school-age children who are indigent and uninsured, although other children may be served. The advisory council appointed under division (H) of this section may recommend additional populations to be targeted.

(B) With assistance from the director of administrative services and using the state's purchasing power, the director of health shall use money from any one or more of the following sources to purchase or secure the use of, maintain, and operate three buses equipped as mobile dental units: the economic development programs fund created in section 3772.17 of the Revised Code, the hope for a smile program fund created in division (F) of this section, and other public funds.

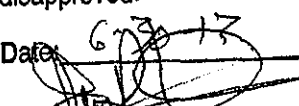
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(C) The director of health shall divide the state into three regions (northern, central, and southern) and assign one bus to each region. Dentists, dental hygienists, and faculty and staff of the dental and dental hygiene programs of this state shall staff each bus and travel to schools in their assigned regions, with priority given to schools attended by high numbers of children in the program's targeted population. Services shall be provided in accordance with Chapter 4715. of the Revised Code.

(D) The director of health shall apply on the program's behalf to the

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department of medicaid for a medicaid provider agreement. The director also shall arrange with private insurance companies in this state for the program to be reimbursed for services provided to children who have coverage through those companies.

(E) Service to the program by students of dental and dental hygiene programs whose faculty and staff participate in the program as described in division (C) of this section shall be recognized by the governor and general assembly as a workforce and economic development initiative.

(F) The program may accept grants, donations, and awards. The program may seek reimbursement from the medicaid program for services provided to children who are medicaid recipients and from private insurance companies for services provided to children covered by policies issued by those companies. The program may apply for money allocated by the United States department of labor or other entities for workforce or economic development initiatives.

Any funds received from a source described in this division shall be deposited into the hope for a smile program fund, which is hereby created. Any interest earned on money in the fund shall be credited to the fund.

(G) Dentists and dental hygienists who provide services free of charge under the program may deduct the fair market value of such services in computing Ohio adjusted gross income under section 5747.01 of the Revised Code.

(H) The director of health shall appoint the hope for a smile advisory council to advise the director in the adoption of rules under division (I) of this section. The council's membership shall consist of representatives of the Ohio dental association, the Ohio dental hygienists association, the Ohio state university college of dentistry, the case western reserve university school of dental medicine, the Ohio council of dental hygiene directors, and other members considered appropriate by the director.

(I) In consultation with the advisory council, the director of health shall adopt rules as necessary to implement and administer this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.

(J) Not later than the first day of July each year, the director of health, with input from the advisory council, shall submit to the governor, president and minority leader of the senate, and the speaker and minority leader of the house of representatives a report on progress the program has made in achieving the objective expressed in division (A) of this section, saving money for the medicaid program and other safety net programs, and promoting workforce and economic development in this state.

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Sec. 3701.243. (A) Except as provided in this section or section

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United States department of energy and the FutureGen industrial alliance, inc., as the coal-fueled, zero-emissions power plant designed to prove the technical and economic feasibility of producing electricity and hydrogen from coal and nearly eliminating carbon dioxide emissions through capture and permanent storage.

(V) "Commodity contract" means a contract or series of contracts entered into in connection with the acquisition or construction of air quality facilities for the purchase or sale of a commodity that is eligible for prepayment with the proceeds of federally tax exempt bonds under sections 103, 141, and 148 of the Internal Revenue Code of 1986, as amended, and regulations adopted under it.

Sec. 3707.511. (A) As used in this section, "physieian":

"Physician" means a person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

"Chiropractor" means a person licensed under Chapter 4734. of the Revised Code to practice chiropractic.

(B) A youth sports organization shall provide to the parent, guardian, or other person having care or charge of an individual who wishes to practice for or compete in an athletic activity organized by a youth sports organization the concussion and head injury information sheet required by section 3707.52 of the Revised Code. The organization shall provide the information sheet annually for each sport or other category of athletic activity for or in which the individual practices or competes.

(C)(1) No individual shall act as a coach or referee for a youth sports organization unless the individual holds a pupil-activity program permit issued under section 3319.303 of the Revised Code for coaching interscholastic athletics or presents evidence that the individual has successfully completed, within the previous three years, a training program in recognizing the symptoms of concussions and head injuries to which the department of health has provided a link on its internet web site under section 3707.52 of the Revised Code.

(2) The youth sports organization for which the individual intends to act as a coach or referee shall inform the individual of the requirement described in division (C)(1) of this section.

(D) If an individual practicing for or competing in an athletic event organized by a youth sports organization exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury while participating in the practice or competition, the individual shall be removed from the practice or competition by one of the following:

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(1) The individual who is serving as the individual's coach during that practice or competition;

(2) An individual who is serving as a referee during that practice or competition;

(3) An official of the youth sports organization who is supervising that practice or competition.

(E)(1) If an individual is removed from practice or competition under division (D) of this section, the coach, referee, or official who removed the individual shall not allow the individual, on the same day the individual is removed, to return to that practice or competition or to participate in any other practice or competition for which the coach, referee, or official is responsible. Thereafter, the coach, referee, or official shall not allow the student to return to that practice or competition or to participate in any other practice or competition for which the coach, referee, or official is responsible until both of the following conditions are satisfied:

(a) The individual's condition is assessed by ~~either~~ any of the following:

(i) A physician;

(ii) A chiropractor;

(iii) Any other licensed health care provider the youth sports organization, pursuant to division (E)(2) of this section, authorizes to assess an individual who has been removed from practice or competition under division (D) of this section.

(b) The individual receives written clearance that it is safe for the individual to return to practice or competition from a physician, chiropractor, or ~~from~~ another licensed health care provider authorized pursuant to division (E)(2) of this section to grant the clearance.

(2) A youth sports organization may authorize a licensed health care provider who is not a physician or a chiropractor to make an assessment or grant a clearance for purposes of division (E)(1) of this section only if the provider is acting in accordance with one of the following, as applicable to the provider's authority to practice in this state:

(a) In consultation with a physician;

(b) Pursuant to the referral of a physician;

(c) In collaboration with a physician;

(d) Under the supervision of a physician.

(3) A physician, chiropractor, or other licensed health care provider who makes an assessment or grants a clearance for purposes of division (E)(1) of this section may be a volunteer.

(F)(1) A youth sports organization or official, employee, or volunteer of a youth sports organization, including a coach or referee, is not liable in

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damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.

(2) This section does not eliminate, limit, or reduce any other immunity or defense that a public entity, public official, or public employee may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of this state.

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Sec. 3709.01. The state shall be divided into health districts. Each city constitutes a health district and shall be known as a "city health district."

The townships and villages in each county shall be combined into a health district and shall be known as a "general health district."

As provided for in sections ~~3709.051~~, 3709.07, ~~3709.071~~, and 3709.10 of the Revised Code, there may be a union of two or more ~~contiguous~~ general health districts, ~~not to exceed five~~, a union of two or more ~~contiguous~~ city health districts to form a single city health district, or a union of a general health district and one or more city health districts located within or partially within such general health district.

Sec. 3709.051. Two or more ~~contiguous~~ city health districts may be united to form a single city health district by a majority affirmative vote of the legislative authority of each city affected by the union.


If at least three per cent of the qualified electors residing within each of two or more ~~contiguous~~ city health districts sign a petition proposing a union into a single city health district, an election shall be held as provided in this section to determine whether a single city health district shall be formed. The petition for union may specify regarding the board of health of the new district:

- (A) The qualifications for membership;
- (B) The term of office;
- (C) The number of members or a method by which the number may be determined from time to time;
- (D) The method of appointment.

Such petition shall be filed with the boards of county commissioners of the respective counties affected, subject to approval of the director of health, and such boards shall promptly certify the text of the proposal to the boards of election for the purpose of having the proposal placed on the ballot at the next general election occurring more than ninety days after such certification. The election procedures provided in Chapter 3505. of the Revised Code for questions and issues shall apply to the election. If a majority of the electors voting on the proposal in each of the health districts affected vote in favor thereof, the union of such districts into a single city

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of its highest blade and be at least ~~seven~~ one thousand one hundred fifty twenty-five feet in horizontal distance from the tip of the turbine's nearest blade at ninety degrees to the exterior of the nearest, habitable, residential structure, if any, located on adjacent property at the time of the certification application. For any existing certificates and amendments thereto, and existing certification applications that have been found by the chairperson to be in compliance with division (A) of section 4906.06 of the Revised Code before the effective date of the amendment of this section by H.B. 59 of the 130th general assembly, the distance shall be seven hundred fifty feet instead of one thousand one hundred twenty-five feet. The setback shall apply in all cases except those in which all owners of property adjacent to the wind farm property waive application of the setback to that property pursuant to a procedure the board shall establish by rule and except in which, in a particular case, the board determines that a setback greater than the minimum is necessary.

Sec. 4906.201. An electric generating plant that consists of wind turbines and associated facilities with a single interconnection to the electrical grid that is designed for, or capable of, operation at an aggregate capacity of fifty megawatts or more is subject to the minimum setback requirements established in rules adopted by the power siting board under division (B)(2) of section 4906.20 of the Revised Code. For any existing certificates and amendments thereto, and existing certification applications that have been found by the chairperson to be in compliance with division (A) of section 4906.06 of the Revised Code before the effective date of the amendment of this section by H.B. 59 of the 130th general assembly, the distance shall be seven hundred fifty feet instead of one thousand one hundred twenty-five feet.

Sec. 4909.157. (A) The public utilities commission may authorize a natural gas company or gas company to recover environmental remediation costs to which both of the following apply:

(1) They are prudently incurred before January 1, 2025.

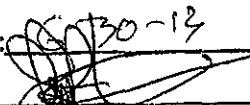
(2) They are related to real property that, at the time recovery is authorized, is or was used for the provision of public utility service.

(B) Recovery under division (A) of this section may be provided for through the establishment of a mechanism by the commission. Any such mechanism shall set forth the specific terms of the recovery.

(C) If the commission authorizes recovery under this section, the company, upon the sale of the property described in division (A)(2) of this section, shall return to the company's customers the difference between the sale price of the property, minus any reasonable expenses related to the sale,

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and the fair market value of the property prior to remediation.
(D) Divisions (A)(1) and (4) of section 4909.15 of the Revised Code do not preclude the recovery of environmental remediation costs as described in this section.

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~~Sec. 4955.32. (A) Every company shall attach to each locomotive engine passing upon its railroad a bell of the ordinary size in use on such engines and a steam or compressed air whistle As used in this section. "lite locomotive consist" means a consist of locomotives not attached to any piece of equipment or attached only to a caboose.~~

~~(B) When an engine the locomotive in motion and the lead of a train, when a lite locomotive consist, or when an individual locomotive is approaching a turnpike, public highway, or street crossing or private a grade crossing where the view of such crossing is obstructed by embankment, trees, curve, or other obstruction to view, upon the same line with the crossing, and in like manner where the railroad crosses any other traveled place, by bridge or otherwise, either of the following shall occur:~~

~~(1) The engineer or person in charge of such engine the locomotive shall sound such whistle at a distance of at least eighty and not further than one hundred rods from such crossing and ring such bell continuously until the engine passes the crossing the locomotive horn in accordance with 49 C.F.R. part 222;~~

~~(2) An alternative audible warning system approved by the public utilities commission under section 4955.321 of the Revised Code shall be activated in accordance with guidelines established by the public utilities commission.~~

~~(C) This section shall not interfere with the proper observance of an ordinance passed by the legislative authority of a municipal corporation regulating the management of railroads, locomotives, and steam whistles on locomotives, within the limits of such municipal corporation.~~

~~(D) The establishment of an alternative audible warning system does not preclude the sounding of a whistle locomotive horn by an engineer or other person in charge of an engine a locomotive in an emergency situation, as determined by the sole judgment of the engineer or other person.~~

Sec. 4955.321. The public utilities commission may evaluate alternative systems for providing an audible warning of an approaching locomotive engine. The commission may approve the use of an audible warning system as an alternative to the whistle and bell horn sounding required under division (B)(1) of section 4955.32 of the Revised Code only if it determines that the alternative audible warning system complies with applicable federal requirements for an audible warning of an approaching train and only if

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(b) Any individual who provides care for only a single-family group, placed there by their parents or other relative having custody, shall not be considered as being within the purview of these sections;

(c) A therapeutic wilderness camp.

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(B) "Family foster home" means a foster home that is not a specialized foster home.

(C) "Foster caregiver" means a person holding a valid foster home certificate issued under section 5103.03 of the Revised Code.

(D) "Foster home" means a private residence in which children are received apart from their parents, guardian, or legal custodian, by an individual reimbursed for providing the children nonsecure care, supervision, or training twenty-four hours a day. "Foster home" does not include care provided for a child in the home of a person other than the child's parent, guardian, or legal custodian while the parent, guardian, or legal custodian is temporarily away. Family foster homes and specialized foster homes are types of foster homes.

(E) "Medically fragile foster home" means a foster home that provides specialized medical services designed to meet the needs of children with intensive health care needs who meet all of the following criteria:

(1) Under rules adopted by the department of job and family services medicaid director governing payment under Chapter 5111. of the Revised Code medicaid payments for long-term care services, the children require a skilled level of care.

(2) The children require the services of a doctor of medicine or osteopathic medicine at least once a week due to the instability of their medical conditions.

(3) The children require the services of a registered nurse on a daily basis.

(4) The children are at risk of institutionalization in a hospital, skilled nursing facility, or intermediate care facility for the mentally retarded individuals with intellectual disabilities.

(F) "Recommending agency" means a public children services agency, private child placing agency, or private noncustodial agency that recommends that the department of job and family services take any of the following actions under section 5103.03 of the Revised Code regarding a foster home:

- (1) Issue a certificate;
- (2) Deny a certificate;
- (3) Renew a certificate;
- (4) Deny renewal of a certificate;

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(5) Revoke a certificate.

(G) "Specialized foster home" means a medically fragile foster home or a treatment foster home.

(H) "Treatment foster home" means a foster home that incorporates special rehabilitative services designed to treat the specific needs of the children received in the foster home and that receives and cares for children who are emotionally or behaviorally disturbed, chemically dependent, mentally retarded, developmentally disabled, or who otherwise have exceptional needs.

(I) "Therapeutic wilderness camp" means a structured, alternative residential setting for children who are experiencing emotional, behavioral, moral, social, or learning difficulties at home or school in which both of the following are the case:

(1) The children spend the majority of their time, including overnight, either outdoors or in a primitive structure;

(2) The children have been placed there by their parents or another relative having custody.

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Sec. 5103.0323. (A) As used in this section, ~~"government auditing standards" means the government auditing standards published by the comptroller general of the United States general accounting office~~ "American institute of certified public accountants auditing standards" and "AICPA auditing standards" mean the auditing standards published by the American institute of certified public accountants.

(B) The first time that a private child placing agency or private noncustodial agency seeks renewal of a certificate issued under section 5103.03 of the Revised Code, it shall provide the department of job and family services, as a condition of renewal, evidence of an independent financial statement ~~audit of its first year of certification, unless the auditor of state has audited the agency during that year and the audit sets forth that no money has been illegally expended, converted, misappropriated, or is unaccounted for or sets forth findings that are inconsequential, as defined by government performed by a licensed public accounting firm following applicable AICPA auditing standards for the most recent fiscal year.~~ Thereafter, when an agency seeks renewal of its certificate, it shall provide the department evidence of an independent financial statement ~~audit performed by a licensed public accounting firm following applicable AICPA auditing standards~~ for the two most recent previous fiscal ~~years it is possible for an independent audit to have been conducted, unless the auditor of state has audited the agency during those years and the audit sets forth that no money has been illegally expended, converted, misappropriated, or is~~

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~~unaccounted for or sets forth findings that are inconsequential, as defined by government auditing standards.~~

~~(C) For an agency to be eligible for renewal, the independent audits must demonstrate that the agency operated in a fiscally accountable manner in accordance with state laws and rules and any agreement between the agency and a public children services agency.~~

~~All audits required by this section shall be conducted in accordance with generally accepted government auditing standards as determined by the department of job and family services.~~

~~(D) The director of job and family services may adopt rules as necessary to implement this section. The director shall adopt the rules in accordance with section 111.15 of the Revised Code.~~

<p><u>Sec. 5103.05. (A) A therapeutic wilderness camp annually shall certify in a report to the parents of the children attending the camp that the camp meets the minimum standards for such camps specified in division (B) of this section. The camp shall file a copy of each report with the department of job and family services.</u></p> <p><u>(B) The camp shall comply with the criminal records check requirements that apply to residential camps pursuant to section 2151.86 of the Revised Code.</u></p> <p><u>The camp shall comply with the requirements established in rules adopted by the department of health that apply to camps.</u></p>	JRK
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Sec. 5103.13. (A) As used in this section and section 5103.131 of the Revised Code:

(1)(a) "Children's crisis care facility" means a facility that has as its primary purpose the provision of residential and other care to either or both of the following:

(i) One or more preteens voluntarily placed in the facility by the preteen's parent or other caretaker who is facing a crisis that causes the parent or other caretaker to seek temporary care for the preteen and referral for support services;

(ii) One or more preteens placed in the facility by a public children services agency or private child placing agency that has legal custody or permanent custody of the preteen and determines that an emergency situation exists necessitating the preteen's placement in the facility rather than an institution certified under section 5103.03 of the Revised Code or elsewhere.

(b) "Children's crisis care facility" does not include either of the following:

(i) Any organization, society, association, school, agency, child

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adopted pursuant to in accordance with section 111.15 of the Revised Code and shall be consistent with federal and state law. The rules shall include rules that do all of the following:

~~(1) Establish standards consistent with federal law for allocating income and resources as income and resources of the spouse, children, parents, or stepparents of a recipient of or applicant for medicaid;~~

~~(2) Define the term "resources" as used in division (A)(1) of this section;~~

~~(3) Specify the number of months that is to be used for the purpose of the term "look back date" used in section 5111.0116 of the Revised Code;~~

~~(4) Establish processes to be used to determine both of the following:~~

~~(a) The date an institutionalized individual's ineligibility for services under section 5111.0116 of the Revised Code is to begin;~~

~~(b) The number of months an institutionalized individual's ineligibility for such services is to continue.~~

~~(5) For the purpose of division (C) of section 5111.0116 of the Revised Code, establish procedures for granting waivers of all or a portion of the period of ineligibility that an institutionalized individual would otherwise be subject to under that section and additional reasons for which such waivers may be granted;~~

~~(6) Define the term "other medicaid-funded long-term care services" as used in sections 5111.0117 and 5111.0118 of the Revised Code;~~

~~(7) For the purpose of division (C)(2)(c) of section 5111.0117 of the Revised Code, establish the process to determine whether the child of an aged, blind, or disabled individual is financially dependent on the individual for housing.~~

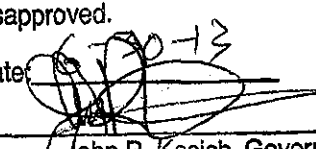
~~(B) Notwithstanding any provision of state law, including statutes, administrative rules, common law, and court rules, regarding real or personal property or domestic relations, the standards established under rules adopted under division (A)(1) of this section shall be used to determine eligibility for medicaid.~~

Sec. 5163.03. (A) Subject to sections 5163.04 and 5163.05 of the Revised Code, the medicaid program shall cover all mandatory eligibility groups. JRK

(B) The medicaid program shall cover all of the optional eligibility groups that state statutes require the medicaid program to cover.

(C) The medicaid program may cover any of the optional eligibility groups to which either of the following applies:

(1) State statutes expressly permit the medicaid program to cover the optional eligibility group.

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(2) State statutes do not address whether the medicaid program may cover the optional eligibility group.

(D) The medicaid program shall not cover any eligibility group that state statutes prohibit the medicaid program from covering.

Sec. 5163.04. The medicaid program shall not cover the group described in the "Social Security Act," section 1902(a)(10)(A)(i)(VIII), 42 U.S.C. 1396a(a)(10)(A)(i)(VIII).

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This section does not affect the medicaid eligibility of any individual who begins to participate in the metrohealth care plus medicaid waiver component on or after February 5, 2013.

Sec. 5163.05. The medicaid program's eligibility requirements for aged, blind, and disabled individuals may be more restrictive than the eligibility requirements for the supplemental security income program. Any such more restrictive eligibility requirements shall be consistent with the 209(b) option described in the "Social Security Act," section 1902(f), 42 U.S.C. 1396a(f).

Sec. 5163.06. The medicaid program shall cover all of the following optional eligibility groups:

(A) The group consisting of children placed with adoptive parents who are specified in the "Social Security Act," section 1902(a)(10)(A)(ii)(VIII), 42 U.S.C. 1396a(a)(10)(A)(ii)(VIII);

(B) Subject to section 5163.061 of the Revised Code, the group consisting of women during pregnancy and the sixty-day period beginning on the last day of the pregnancy, infants, and children who are specified in the "Social Security Act," section 1902(a)(10)(A)(ii)(IX), 42 U.S.C. 1396a(a)(10)(A)(ii)(IX);

(C) Subject to sections 5163.09 to 5163.0910 of the Revised Code, the group consisting of employed individuals with disabilities who are specified in the "Social Security Act," section 1902(a)(10)(A)(ii)(XV), 42 U.S.C. 1396a(a)(10)(A)(ii)(XV);

(D) Subject to sections 5163.09 to 5163.0910 of the Revised Code, the group consisting of employed individuals with medically improved disabilities who are specified in the "Social Security Act," section 1902(a)(10)(A)(ii)(XVI), 42 U.S.C. 1396a(a)(10)(A)(ii)(XVI);

(E) The group consisting of independent foster care adolescents who are specified in the "Social Security Act," section 1902(a)(10)(A)(ii)(XVII), 42 U.S.C. 1396a(a)(10)(A)(ii)(XVII);

(F) The group consisting of women in need of treatment for breast or cervical cancer who are specified in the "Social Security Act," section 1902(a)(10)(A)(ii)(XVIII), 42 U.S.C. 1396a(a)(10)(A)(ii)(XVIII);

(G) The group consisting of nonpregnant individuals who may receive

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reflects, at a minimum, labor market data, education and licensure status, home health agency and independent provider status, and length of service visit.

(C) The department shall strive to have the adjustment made under division (B)(3) of this section go into effect on July 1, 2012. The reductions made under divisions (B)(1) and (2) of this section shall remain in effect until the adjustment made under division (B)(3) of this section goes into effect.

~~(D) The director of job and family services shall adopt rules under sections 5111.02 and 5111.85 of the Revised Code as necessary to implement this section.~~

Sec. 5164.78. (A) The medicaid payment rates for physician, pregnancy-related, evaluation, and management services provided by a physician group practice meeting the requirements of division (B) of this section shall be determined in accordance with rule 5101:3-1-60.1 of the Administrative Code as the rule is in effect on the day immediately preceding the effective date of this section.

(B) A physician group practice meets the requirements of this division if both of the following apply to the practice:

(1) The practice is physically attached to a hospital that does not provide physician clinic outpatient services and the practice and hospital have signed a letter of agreement providing for the practice to provide outpatient hospital clinic services for the hospital.

(2) The medicaid provider utilization summary for calendar year 1990 establishes that the practice provided both of the following that year:

(a) At least forty per cent of the total number of medicaid physician visits provided in the county in which the practice is located;

(b) An aggregate total of at least ten per cent of medicaid physician visits provided in the contiguous counties.

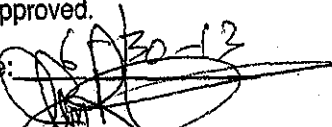
(C) Not later than four years after the effective date of this section, the department of medicaid shall submit a report regarding this section to the general assembly in accordance with section 101.68 of the Revised Code.

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~~Sec. 5111.0212 5164.80. As necessary to comply with section 1902(a)(13)(A) of the "Social Security Act," 42 U.S.C. 1396a(a)(13)(A), as amended, and any other federal law that requires public notice of proposed changes to reimbursement payment rates for medical assistance provided under the medicaid program services, the medicaid director of job and family services shall give public notice in the register of Ohio of any change to a method or standard used to determine the medicaid reimbursement payment rate for~~

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indicate whether nursing facilities meet those accountability measures;

~~(2) If the department takes action pursuant to division (E)(1) of this section for fiscal year 2013, continue to use the percentages the department specifies pursuant to division (E)(1)(b) of this section for the purposes of those accountability measures;~~

~~(3) If the department takes action pursuant to division (E)(2) of this section for fiscal year 2013, do the following:~~

~~(a) For fiscal year 2014, specify the percentages to be used for the purposes of those accountability measures and, in specifying the percentages, provide for at least fifty per cent of nursing facilities to earn points for meeting those accountability measures;~~

~~(b) For fiscal year 2015 and thereafter, continue to use the percentages the department specifies pursuant to division (F)(3)(a) of this section for the purposes of those accountability measures. Not later than July 1, 2014, the department shall submit, in accordance with section 101.68 of the Revised Code, recommendations to the general assembly for accountability measures to replace the accountability measures identified in divisions (D)(21) and (22) of this section.~~

~~(G) The director of job and family services shall adopt rules under section 5111.02 of the Revised Code as necessary to implement this section.~~

~~The rules Rules adopted under section 5165.02 of the Revised Code may specify what is meant by "some" as that word is used in division (C)(16) of this section.~~

~~Sec. 5111.245 5165.26. (A) As used in this section:~~

~~(1) "Budgeted amount for quality incentive payments for a fiscal year" means the amount determined for a fiscal year as follows:~~

~~(a) Multiply the total number of medicaid days in the immediately preceding fiscal year by sixteen dollars and forty-four cents;~~

~~(b) Determine the total amount of quality incentive payments that was paid under section 5165.25 of the Revised Code to all nursing facility providers for the immediately preceding fiscal year;~~

~~(c) Subtract the amount determined under division (A)(1)(b) of this section from the product calculated under division (A)(1)(a) of this section;~~

~~(d) Add thirty million dollars to the difference calculated under division (A)(1)(c) of this section.~~

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~~(2) "Point days for a fiscal year" means the product of the following:~~

~~(a) A qualifying nursing facility's quality bonus points for the fiscal year;~~

~~(b) The number of the qualifying nursing facility's medicaid days in the immediately preceding fiscal year.~~

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(2)(3) "Qualifying nursing facility" means a nursing facility that qualifies for a quality bonus for a fiscal year as determined under division (B) of this section.

(3)(4) "Quality bonus points for a fiscal year" means the amount determined by subtracting five from the number of points awarded to a qualifying nursing facility for meeting accountability measures under ~~division (C) of section 5111.244~~ 5165.25 of the Revised Code for a fiscal year.

(4) ~~"Residual budgeted amount for quality incentive payments for a fiscal year" means the amount determined for a fiscal year as follows:~~

~~(a) Multiply the total number of medicaid days in the fiscal year by sixteen dollars and forty-four cents;~~

~~(b) Determine the total amount of quality incentive payments that was paid under section 5111.244 of the Revised Code to all nursing facility providers for the fiscal year;~~

~~(c) Subtract the amount determined under division (A)(4)(b) of this section from the product calculated under division (A)(4)(a) of this section.~~

(B) ~~The~~ Not later than the first day of November of each fiscal year, the department of job and family services medicaid shall pay a nursing facility provider a quality bonus for a the fiscal year if both of the following apply:

(1) The provider's nursing facility is awarded more than five points for meeting accountability measures under ~~division (C) of section 5111.244~~ 5165.25 of the Revised Code for the fiscal year and the following applies:

(1) For fiscal year 2014, at least two of the points are awarded to the nursing facility pursuant to division (C)(10), (11), (12), (13), or (14) of section 5165.25 of the Revised Code.

(2) For fiscal year 2015 and each fiscal year thereafter, at least two of the points are awarded to the nursing facility pursuant to division (D)(9), (10), (11), (12), (13), or (14) of section 5165.25 of the Revised Code.

(2) The residual budgeted amount for quality incentive payments for the fiscal year is greater than zero.

(C) The total quality bonus to be paid to the provider of a qualifying nursing facility for a fiscal year shall equal the product of the following:

(1) The quality bonus per medicaid day for the fiscal year determined for the provider's qualifying nursing facility under division (D) of this section;

(2) The number of the qualifying nursing facility's medicaid days in the immediately preceding fiscal year.

(D) A qualifying nursing facility's quality bonus per medicaid day for a fiscal year shall be the product of the following:

SPK

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JR/K

JR/K

The above boxed and initialed text was disapproved.
Date: 16-30-13
[Signature]
John F. Kasich, Governor

Domestic insurance companies, including health insuring corporations, receiving payments pursuant to the ~~medical-assistance~~ medicaid program established under ~~Chapter 5111~~ of the Revised Code during the period beginning October 1, 2009, and ending December 31, 2009, shall file with the 2009 annual statement to the superintendent a schedule that reflects those payments received pursuant to the ~~medical-assistance~~ medicaid program for that period. The payments reflected in the schedule, plus all other taxable premiums, are subject to the annual franchise tax due to be paid in 2010.

(B) The gross amount of premium rate payments or premiums used to compute the applicable tax in accordance with division (A) of this section is subject to the deductions prescribed by section 5729.03 of the Revised Code for foreign insurance companies. The objects of such tax are those declared in section 5725.24 of the Revised Code, to which only such tax shall be applied.

(C) In no case shall such tax be less than two hundred fifty dollars.

Sec. 5725.33. (A) Except as otherwise provided in this section, terms used in this section have the same meaning as section 45D of the Internal Revenue Code, any related proposed, temporary or final regulations promulgated under the Internal Revenue Code, any rules or guidance of the internal revenue service or the United States department of the treasury, and any related rules or guidance issued by the community development financial institutions fund of the United States department of the treasury, as such law, regulations, rules, and guidance exist on October 16, 2009.

As used in this section:

(1) "Adjusted purchase price" means the amount paid for qualified equity investments multiplied by the qualified low-income community investments made by the issuer in projects located in this state as a percentage of the total amount of qualified low-income community investments made by the issuer in projects located in all states on the credit allowance date during the applicable tax year, subject to divisions (B)(1) and (2) of this section.

(2) "Applicable percentage" means zero per cent for each of the first two credit allowance dates, seven per cent for the third credit allowance date, and eight per cent for the four following credit allowance dates.

(3) "Credit allowance date" means the date, on or after January 1, 2010, a qualified equity investment is made and each of the six anniversary dates thereafter. For qualified equity investments made after October 16, 2009, but before January 1, 2010, the initial credit allowance date is January 1, 2010, and each of the six anniversary dates thereafter is on the first day of

The above boxed and initialed text was disapproved.

Date:

John R. Kasich, Governor

January of each year.

~~(4) "Qualified active low-income community business" excludes any business that derives or projects to derive fifteen per cent or more of annual revenue from the rental or sale of real property, except any business that is a special purpose entity principally owned by a principal user of that property formed solely for the purpose of renting, either directly or indirectly, or selling real property back to such principal user if such principal user does not derive fifteen per cent or more of its gross annual revenue from the rental or sale of real property.~~

~~(5) "Qualified community development entity" includes only entities:~~

~~(a) That that have entered into an allocation agreement with the community development financial institutions fund of the United States department of the treasury with respect to credits authorized by section 45D of the Internal Revenue Code;~~

~~(b) Whose and whose service area includes any portion of this state; and~~

~~(c) That will designate an equity investment in such entities as a qualified equity investment for purposes of both section 45D of the Internal Revenue Code and this section.~~

~~(6)(5) "Qualified equity investment" is limited to an equity investment in a qualified community development entity that:~~

~~(a) Is acquired after October 16, 2009, at its original issuance solely in exchange for cash;~~

~~(b) Has at least eighty-five per cent of its cash purchase price used by the qualified community development entity to make qualified low-income community investments, provided that in the seventh year after a qualified equity investment is made, only seventy-five per cent of such cash purchase price must be used by the qualified community development entity to make qualified low-income community investments; and~~

~~(c) Is designated by the issuer as a qualified equity investment.~~

~~"Qualified equity investment" includes any equity investment that would, but for division (A)(6)(5)(a) of this section, be a qualified equity investment in the hands of the taxpayer if such investment was a qualified equity investment in the hands of a prior holder.~~

~~(B) There is hereby allowed a nonrefundable credit against the tax imposed by section 5725.18 of the Revised Code for an insurance company holding a qualified equity investment on the credit allowance date occurring in the calendar year for which the tax is due. The credit shall equal the applicable percentage of the adjusted purchase price of qualified low-income community investments, subject to divisions (B)(1) and (2) of this section:~~

The above boxed and initialed text was disapproved.

Date: 6-30-13

John R. Kasich, Governor

(1) For the purpose of calculating the amount of qualified low-income community investments held by a qualified community development entity, an investment shall be considered held by a qualified community development entity even if the investment has been sold or repaid, provided that, at any time before the seventh anniversary of the issuance of the qualified equity investment, the qualified community development entity reinvests an amount equal to the capital returned to or received or recovered by the qualified community development entity from the original investment, exclusive of any profits realized and costs incurred in the sale or repayment, in another qualified low-income community investment within twelve months of the receipt of such capital. If the qualified low-income community investment is sold or repaid after the sixth anniversary of the issuance of the qualified equity investment, the qualified low-income community investment shall be considered held by the qualified community development entity through the seventh anniversary of the qualified equity investment's issuance.

JRK

(2) The qualified low-income community investment made in this state shall equal the sum of the qualified low-income community investments in each qualified active low-income community business in this state, not to exceed two million five hundred sixty-four thousand dollars, in which the qualified community development entity invests, including such investments in any such businesses in this state related to that qualified active low-income community business through majority ownership or control.

The credit shall be claimed in the order prescribed by section 5725.98 of the Revised Code. If the amount of the credit exceeds the amount of tax otherwise due after deducting all other credits in that order, the excess may be carried forward and applied to the tax due for not more than four ensuing years.

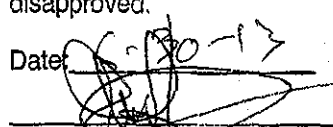
By claiming a tax credit under this section, an insurance company waives its rights under section 5725.222 of the Revised Code with respect to the time limitation for the assessment of taxes as it relates to credits claimed that later become subject to recapture under division (E) of this section.

(C) The amount of qualified equity investments on the basis of which credits may be claimed under this section and sections 5726.54, 5729.16, and 5733.58 of the Revised Code shall not exceed the amount, estimated by the director of development, that would cause the total amount of credits allowed each fiscal year to exceed ten million dollars, computed without regard to the potential for taxpayers to carry tax credits forward to later years.

(D) If any amount of ~~the~~ a federal tax credit allowed for a qualified

The above boxed and initialed text was disapproved.

Date: 6-30-13


 John R. Kasich, Governor

equity investment for which a credit was received under this section is recaptured under section 45D of the Internal Revenue Code, or if the director of development services determines that an investment for which a tax credit is claimed under this section is not a qualified equity investment or that the proceeds of an investment for which a tax credit is claimed under this section are used to make qualified low-income community investments other than in a qualified active low-income community business, all or a portion of the credit received on account of that investment shall be paid by the insurance company that received the credit to the superintendent of insurance. The amount to be recovered shall be determined by the director of development services pursuant to rules adopted under division (E) of this section. The director shall certify any amount due under this division to the superintendent of insurance, and the superintendent shall notify the treasurer of state of the amount due. Upon notification, the treasurer shall invoice the insurance company for the amount due. The amount due is payable not later than thirty days after the date the treasurer invoices the insurance company. The amount due shall be considered to be tax due under section 5725.18 of the Revised Code, and may be collected by assessment without regard to the time limitations imposed under section 5725.222 of the Revised Code for the assessment of taxes by the superintendent. All amounts collected under this division shall be credited as revenue from the tax levied under section 5725.18 of the Revised Code.

(E) The tax credits authorized under this section and sections 5726.54, 5729.16, and 5733.58 of the Revised Code shall be administered by the ~~department of development services~~ agency. The director of development services, in consultation with the tax commissioner and the superintendent of insurance, pursuant to Chapter 119. of the Revised Code, shall adopt rules for the administration of this section and sections 5726.54, 5729.16, and 5733.58 of the Revised Code. The rules shall provide for determining the recovery of credits under division (D) of this section and under sections 5726.54, 5729.16, and 5733.58 of the Revised Code, including prorating the amount of the credit to be recovered on any reasonable basis, the manner in which credits may be allocated among claimants, and the amount of any application or other fees to be charged in connection with a recovery.

(F) There is hereby created in the state treasury the new markets tax credit operating fund. The director of development services is authorized to charge reasonable application and other fees in connection with the administration of tax credits authorized by this section and sections 5726.54, 5729.16, and 5733.58 of the Revised Code. Any such fees collected shall be credited to the fund. The director of development services shall use money

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The above boxed and initialed text was disapproved.

Date: 6-30-75



John R. Kasich, Governor

in the fund to pay expenses related to the administration of tax credits authorized under sections 5725.33, 5726.54, 5729.16, and 5733.58 of the Revised Code.

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Sec. 5725.34. (A) As used in this section, "certificate owner" has the same meaning as in section 149.311 of the Revised Code.

(B) There is allowed a credit against the tax imposed by section 5725.18 of the Revised Code for an insurance company subject to that tax that is a certificate owner of a rehabilitation tax credit certificate issued under section 149.311 of the Revised Code. The credit shall equal twenty-five per cent of the dollar amount indicated on the certificate, but the amount of the credit allowed for any company for any year shall not exceed five ten million dollars. The credit shall be claimed in the calendar year specified in the certificate and in the order required under section 5725.98 of the Revised Code. If the credit exceeds the amount of tax otherwise due in that year, the excess shall be refunded to the company but, if any amount of the credit is refunded, the sum of the amount refunded and the amount applied to reduce the tax otherwise due in that year shall not exceed three million dollars. The company may carry forward any balance of the credit in excess of the amount claimed in that year for not more than five ensuing years, and shall deduct any amount claimed in any such year from the amount claimed in an ensuing year.

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(C) An insurance company claiming a credit under this section shall retain the rehabilitation tax credit certificate for four years following the end of the year in which the credit was claimed, and shall make the certificate available for inspection by the tax commissioner upon the request of the tax commissioner during that period.

Sec. 5726.20. (A) The tax commissioner may make an assessment, based on any information in the commissioner's possession, against any person that fails to file a return or report or pay any tax as required by this chapter. The reporting person for a taxpayer shall file the annual report required under section 5726.02 of the Revised Code and remit the tax imposed by this chapter. Each person included in the annual report of the taxpayer is jointly and severally liable for the tax imposed by this chapter and any penalties and interest thereon. If the reporting person fails, for any reason, to file and remit any tax, the amount due may be collected by assessment against the reporting person and against any or all other persons required to be included in the annual report of the taxpayer in the manner provided by this section as provided in section 5703.90 of the Revised Code. The commissioner shall make the assessment in the manner provided in this section. The commissioner shall give the person assessed written notice of

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Date: 6/30/13
John R. Kasich, Governor

commissioner has prescribed the method by rule.

(H) If the whereabouts of a person subject to this chapter is not known to the tax commissioner, the secretary of state is hereby deemed to be that person's agent for purposes of service of process or notice of any assessment, action, or proceedings instituted in this state against the person under this chapter. Such process or notice shall be served on such person by the commissioner or by an agent of the commissioner by leaving a true and attested copy of the process or notice at the office of the secretary of state at least fifteen days before the return day of such process or notice, and by sending a copy of the process or notice to such person by ordinary mail, with an endorsement thereon of the service upon the secretary of state, addressed to such person at the person's last known address.

Sec. 5726.52. (A) As used in this section, "certificate owner" has the same meaning as in section 149.311 of the Revised Code.

(B) A taxpayer may claim a refundable credit against the tax imposed by this chapter for each person included in the annual report of a taxpayer that is a certificate owner of a rehabilitation tax credit certificate issued under section 149.311 of the Revised Code. The credit shall equal twenty-five per cent of the dollar amount indicated on each certificate, but shall not exceed five ten million dollars for each certificate. JAC

The credit shall be claimed for the calendar year specified in the certificate and in the order required under section 5726.98 of the Revised Code. If the credit exceeds the amount of tax otherwise due in that year, the excess shall be refunded to the taxpayer, provided that, if any amount of the credit is refunded, the sum of the amount refunded and the amount applied to reduce the tax otherwise due in that year shall not exceed three million dollars. The taxpayer may carry forward any balance of the credit in excess of the amount claimed in that year for not more than five ensuing years, and shall deduct any amount claimed in any such year from the amount claimed in an ensuing year. A taxpayer may claim against the tax imposed by this chapter any unused portion of the credit authorized under section 5725.151 of the Revised Code, but only to the extent of the five-year carry forward period authorized by that section.

(C) A taxpayer claiming a credit under this section shall retain the rehabilitation tax credit certificate for four years following the end of the year to which the credit was applied, and shall make the certificate available for inspection by the tax commissioner upon the request of the commissioner during that period.

Sec. 5726.54. (A) Any term used in this section has the same meaning as in section 5725.33 of the Revised Code.

The above boxed and initialed text was disapproved.

Date: 9/30/13

John R. Kasich, Governor

of development services pursuant to rules adopted under section 5725.33 of the Revised Code. The director shall certify any amount due under this division to the superintendent of insurance, and the superintendent shall notify the treasurer of state of the amount due. Upon notification, the treasurer shall invoice the insurance company for the amount due. The amount due is payable not later than thirty days after the date the treasurer invoices the insurance company. The amount due shall be considered to be tax due under section 5729.03 of the Revised Code, and may be collected by assessment without regard to the time limitations imposed under section 5729.102 of the Revised Code for the assessment of taxes by the superintendent. All amounts collected under this division shall be credited as revenue from the tax levied under section 5729.03 of the Revised Code.

Sec. 5729.17. (A) As used in this section, "certificate owner" has the same meaning as in section 149.311 of the Revised Code.

(B) There is allowed a credit against the tax imposed by section 5729.03 of the Revised Code for an insurance company subject to that tax that is a certificate owner of a rehabilitation tax credit certificate issued under section 149.311 of the Revised Code. The credit shall equal twenty-five per cent of the dollar amount indicated on the certificate, but the amount of the credit allowed for any company for any year shall not exceed five ten million dollars. The credit shall be claimed in the calendar year specified in the certificate and in the order required under section 5729.98 of the Revised Code. If the credit exceeds the amount of tax otherwise due in that year, the excess shall be refunded to the company but, if any amount of the credit is refunded, the sum of the amount refunded and the amount applied to reduce the tax otherwise due in that year shall not exceed three million dollars. The company may carry forward any balance of the credit in excess of the amount claimed in that year for not more than five ensuing years, and shall deduct any amount claimed in any such year from the amount claimed in an ensuing year.

(C) An insurance company claiming a credit under this section shall retain the rehabilitation tax credit certificate for four years following the end of the year in which the credit was claimed, and shall make the certificate available for inspection by the tax commissioner upon the request of the tax commissioner during that period.

Sec. 5731.39. This section does not apply to, and the written permission of the tax commissioner is not required for asset transfers with respect to, decedents dying on or after January 1, 2013.

(A) No corporation organized or existing under the laws of this state shall transfer on its books or issue a new certificate for any share of its

The above boxed and initialed text was disapproved.

Date: 5-20-13

John F. Kasich, Governor

to independent salespersons who operate as direct sellers and that is held primarily for distribution outside this state;

(b) As used in division (B)(48)(a) of this section:

(i) "Direct seller" means a person selling consumer products to individuals for personal or household use and not from a fixed retail location, including selling such product at in-home product demonstrations, parties, and other one-on-one selling.

(ii) "Qualified direct selling entity" means an entity selling to direct sellers at the time the entity enters into a tax credit agreement with the tax credit authority pursuant to section 122.17 of the Revised Code, provided that the agreement was entered into on or after January 1, 2007. Neither contingencies relevant to the granting of, nor later developments with respect to, the tax credit shall impair the status of the qualified direct selling entity under division (B)(48) of this section after execution of the tax credit agreement by the tax credit authority.

(c) Division (B)(48) of this section is limited to machinery, equipment, and software first stored, used, or consumed in this state within the period commencing June 24, 2008, and ending on the date that is five years after that date.

~~(49)(a)~~ Sales of materials, parts, equipment, or engines used in the repair or maintenance of aircraft or avionics systems of such aircraft, and sales of repair, remodeling, replacement, or maintenance services in this state performed on aircraft or on an aircraft's avionics, engine, or component materials or parts. As used in division (B)(49)(a) of this section, "aircraft" means aircraft of more than six thousand pounds maximum certified takeoff weight or used exclusively in general aviation. *JRC*

(b) Sales of tangible personal property, including materials, parts, equipment, software, supplies, tools, fuel, catalyts, oil, acids, and other consumables, or services used or consumed in performing research and development activities with respect to aerospace vehicles, the parts, avionics systems, control systems, engines, software, component materials, or component parts of such aerospace vehicles, and human performance equipment and technology associated with operating and testing aerospace vehicles. As used in division (B)(49)(b) of this section, "aerospace vehicles" means any manned or unmanned aviation device including, but not limited to, aircraft, airplanes, helicopters, missiles, rockets, and space vehicles.

JRC

(50) Sales of full flight simulators that are used for pilot or flight-crew training, sales of repair or replacement parts or components, and sales of repair or maintenance services for such full flight simulators. "Full flight simulator" means a replica of a specific type, or make, model, and series of

The above boxed and initialed text was disapproved.
Date: *6-30-13*
[Signature]
John R. Kasich, Governor

Revised Code, and "video service," "video service provider," and "video programming" have the same meanings as in section 1332.21 of the Revised Code.

(54) Sales of investment metal bullion and investment coins. "Investment metal bullion" means any elementary precious metal that has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, and palladium, and which is in such state or condition that its value depends upon its content and not upon its form. "Investment metal bullion" does not include fabricated precious metal that has been processed or manufactured for one or more specific and customary industrial, professional, or artistic uses. "Investment coins" means numismatic coins or other forms of money and legal tender manufactured of gold, silver, platinum, palladium, or other metal under the laws of the United States or any foreign nation with a fair market value greater than any statutory or nominal value of such coins.

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(C) For the purpose of the proper administration of this chapter, and to prevent the evasion of the tax, it is presumed that all sales made in this state are subject to the tax until the contrary is established.

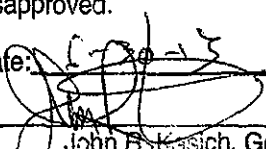
(D) The levy of this tax on retail sales of recreation and sports club service shall not prevent a municipal corporation from levying any tax on recreation and sports club dues or on any income generated by recreation and sports club dues.

(E) The tax collected by the vendor from the consumer under this chapter is not part of the price, but is a tax collection for the benefit of the state, and of counties levying an additional sales tax pursuant to section 5739.021 or 5739.026 of the Revised Code and of transit authorities levying an additional sales tax pursuant to section 5739.023 of the Revised Code. Except for the discount authorized under section 5739.12 of the Revised Code and the effects of any rounding pursuant to section 5703.055 of the Revised Code, no person other than the state or such a county or transit authority shall derive any benefit from the collection or payment of the tax levied by this section or section 5739.021, 5739.023, or 5739.026 of the Revised Code.

Sec. 5739.026. (A) A board of county commissioners may levy a tax of one-fourth or one-half of one per cent on every retail sale in the county, except sales of watercraft and outboard motors required to be titled pursuant to Chapter 1548. of the Revised Code and sales of motor vehicles, and may increase an existing rate of one-fourth of one per cent to one-half of one per cent, to pay the expenses of administering the tax and, except as provided in division (A)(6) of this section, for any one or more of the following

The above boxed and initialed text was disapproved.

Date: 7-20-15



 John R. Kasich, Governor

Revised Code.

(2) In the case of watercraft, outboard motors, or new motor vehicles, "price" has the same meaning as in divisions (H)(2) and (3) of section 5739.01 of the Revised Code.

(3) In the case of a nonresident business consumer that purchases and uses tangible personal property outside this state and subsequently temporarily stores, uses, or otherwise consumes such tangible personal property in the conduct of business in this state, the consumer or the tax commissioner may determine the price based on the value of the temporary storage, use, or other consumption, in lieu of determining the price pursuant to division (G)(1) of this section. A price determination made by the consumer is subject to review and redetermination by the commissioner.

(4) In the case of tangible personal property held in this state as inventory for sale or lease, and that is temporarily stored, used, or otherwise consumed in a taxable manner, the price is the value of the temporary use. A price determination made by the consumer is subject to review and redetermination by the commissioner.

(5) In the case of tangible personal property originally purchased and used by the consumer outside this state, and that becomes permanently stored, used, or otherwise consumed in this state more than six months after its acquisition by the consumer, the consumer or the commissioner may determine the price based on the current value of such tangible personal property, in lieu of determining the price pursuant to division (G)(1) of this section. A price determination made by the consumer is subject to review and redetermination by the commissioner.

(6) If a consumer produces tangible personal property for sale and removes that property from inventory for the consumer's own use, the price is the produced cost of that tangible personal property.

(H) "Nexus with this state" means that the seller engages in continuous and widespread solicitation of purchases from residents of this state or otherwise purposefully directs its business activities at residents of this state.

~~(I)(1)~~ (1) "Substantial nexus with this state" means that the seller has sufficient contact with this state, in accordance with Section 8 of Article I of the Constitution of the United States, to allow the state to require the seller to collect and remit use tax on sales of tangible personal property or services made to consumers in this state. "Substantial" *JRK*

(2) "Substantial nexus with this state" exists is presumed to exist when the seller does any of the following:
(1) Maintains a (a) Uses an office, distribution facility, warehouse, storage facility, or similar place of business within this state, whether

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Date: 03-12
[Signature]
John R. Kasich, Governor

~~operated by employees or agents of the seller, by a member of an affiliated group, as defined in division (B)(3)(e) of section 5739.01 of the Revised Code, of which the seller is a member, or by a franchisee using a trade name of the seller; or any other person, other than a common carrier acting in its capacity as a common carrier.~~

~~(2)(b) Regularly has uses employees, agents, representatives, solicitors, installers, repairmen repairers, salesmen salespersons, or other individuals persons in this state (i) for the purpose of conducting the business of the seller; or that (ii) engage in a business with the same or a similar industry classification as the seller selling a similar product or line of products as the seller, or (iii) use trademarks, service marks, or trade names in this state that are the same or substantially similar to those used by the seller.~~

~~(3)(c) Uses a any person, other than a common carrier acting in its capacity as a common carrier, in this state for any of the purpose of receiving following purposes:~~

~~(i) Receiving or processing orders of the seller's goods or services;~~

~~(ii) Using that person's employees or facilities in this state to advertise, promote, or facilitate sales by the seller to customers;~~

~~(iii) Delivering, installing, assembling, or performing maintenance services for the seller's customers;~~

~~(iv) Facilitating the seller's delivery of tangible personal property to customers in this state by allowing the seller's customers to pick up property sold by the seller at an office, distribution facility, warehouse, storage facility, or similar place of business.~~

~~(4)(d) Makes regular deliveries of tangible personal property into this state by means other than common carrier;~~

~~(5)(e) Has membership in an affiliated group, as described in division (B)(3)(e) of section 5739.01 of the Revised Code, at least one other member of which person that has substantial nexus with this state;~~

~~(6)(f) Owns tangible personal property that is rented or leased to a consumer in this state, or offers tangible personal property, on approval, to consumers in this state;~~

~~(7) Except as provided in section 5703.65 of the Revised Code, is registered with the secretary of state to do business in this state or is registered or licensed by any state agency, board, or commission to transact business in this state or to make sales to persons in this state;~~

~~(8) Has any other contact with this state that would allow this state to require the seller to collect and remit use tax under Section 8 of Article I of the Constitution of the United States (g) Enters into an agreement with one or more residents of this state under which the resident, for a commission or~~

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Date: 6/30/13
John R. Kasich, Governor

other consideration, directly or indirectly refers potential customers to the seller, whether by a link on a web site, an in-person oral presentation, telemarketing, or otherwise, provided the cumulative gross receipts from sales to consumers referred to the seller by all such residents exceeded ten thousand dollars during the preceding twelve months.

(3) A seller presumed to have substantial nexus with this state under divisions (I)(2)(a) to (f) of this section may rebut that presumption by demonstrating that activities described in any of those divisions that are conducted by a person in this state on the seller's behalf are not significantly associated with the seller's ability to establish or maintain a market in this state for the seller's sales.

(4) A seller presumed to have substantial nexus with this state under division (I)(2)(g) of this section may rebut that presumption by submitting proof that each resident engaged by the seller as described in that division did not engage in any activity within this state during the preceding twelve months that was significantly associated with the seller's ability to establish or maintain the seller's market in this state during the preceding twelve months. Such proof may consist of sworn written statements from all the residents with whom the seller has an agreement stating that the resident did not engage in any solicitation in this state on behalf of the seller during the preceding twelve months if such statements are provided and obtained in good faith.

(5) A seller that does not have substantial nexus with this state, and any affiliated person of the seller, before selling or leasing tangible personal property or services to a state agency, shall register with the tax commissioner in the same manner as a seller described in division (A)(1) of section 5741.17 of the Revised Code.

(6) As used in division (I) of this section:

(a) "Affiliated person" means any person that is a member of the same controlled group of corporations as the seller or any other person that, notwithstanding the form of organization, bears the same ownership relationship to the seller as a corporation that is a member of the same controlled group of corporations.

(b) "Controlled group of corporations" has the same meaning as in section 1563(a) of the Internal Revenue Code.

(c) "State agency" has the same meaning as in section 1.60 of the Revised Code.

(J) "Fiscal officer" means, with respect to a regional transit authority, the secretary-treasurer thereof, and with respect to a county which is a transit authority, the fiscal officer of the county transit board appointed

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The above boxed and initialed text was disapproved.

Date: 6-30-13

John R. Kasich, Governor

pursuant to section 306.03 of the Revised Code or, if the board of county commissioners operates the county transit system, the county auditor.

(K) "Territory of the transit authority" means all of the area included within the territorial boundaries of a transit authority as they from time to time exist. Such territorial boundaries must at all times include all the area of a single county or all the area of the most populous county which is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau.

(L) "Transit authority" means a regional transit authority created pursuant to section 306.31 of the Revised Code or a county in which a county transit system is created pursuant to section 306.01 of the Revised Code. For the purposes of this chapter, a transit authority must extend to at least the entire area of a single county. A transit authority which includes territory in more than one county must include all the area of the most populous county which is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau.

(M) "Providing a service" has the same meaning as in ~~division (X)~~ of section 5739.01 of the Revised Code.

JR11

(N) "Other consumption" includes receiving the benefits of a service.

(O) "Lease" or "rental" has the same meaning as in ~~division (UU)~~ of section 5739.01 of the Revised Code.

JR1C

(P) "Certified service provider" has the same meaning as in section 5740.01 of the Revised Code.

(Q) "Remote sale" means a sale for which the seller could not be legally required to pay, collect, or remit a tax imposed under this chapter or Chapter 5739, of the Revised Code, unless otherwise provided by the laws of the United States.

(R) "Remote seller" means a seller that makes remote sales to one or more consumers.

(S) "Remote small seller" means a remote seller that has gross annual receipts from remote sales in the United States not exceeding one million dollars for the preceding calendar year. For the purposes of determining whether a person is a small remote seller, the sales of all persons related within the meaning of subsection (b) or (c) of section 267 or section 707(b)(1) of the Internal Revenue Code shall be aggregated, and persons with one or more ownership relationships shall be aggregated if those relationships were designed with the principal purpose to qualify as a remote small seller.

Sec. 5741.02. (A)(1) For the use of the general revenue fund of the state,

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contacts with this state that may be required by the commissioner.

(2) A seller who is licensed as a vendor pursuant to section 5739.17 of the Revised Code shall not be required to register with the commissioner pursuant to this section if all sales to consumers in this state are made under the authority of his the seller's vendor's license.

(3) A Unless the seller has substantial nexus with this state pursuant to division (1)(2)(g) of section 5741.01 of the Revised Code, a seller is not required to register under this section if the seller has no contact with this state other than an agency relationship with a person engaged in the business of telemarketing in this state and engaged by the seller exclusively for the purpose of solicitation of customers in other states. RH
JRC

(4) A seller is not required to register under this section if the seller has no contact with this state other than the ownership of property that is located at the facility of a printer with which the seller has contracted for printing and that consists of the final printed product, property that becomes a part of the final printed product, or copy from which the final printed product is produced.

(B) A seller who does not have substantial nexus with this state may voluntarily register with the commissioner. A seller who voluntarily registers with the commissioner under this section is entitled to the same benefits and is subject to the same duties and requirements as a seller required to be registered with the commissioner under this chapter.

The commissioner shall maintain an alphabetical index of all sellers registered under this chapter and records of the use tax reported and paid. Upon request, this information shall be made available to the treasurer of state.

(C) A remote small seller is not required to register under this section.

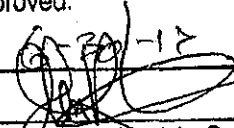
Sec. 5743.01. As used in this chapter:

(A) "Person" includes individuals, firms, partnerships, associations, joint-stock companies, corporations, combinations of individuals of any form, and the state and any of its political subdivisions.

(B) "Wholesale dealer" includes only those persons:

(1) Who bring in or cause to be brought into this state unstamped cigarettes purchased directly from the manufacturer, producer, or importer of cigarettes for sale in this state but does not include persons who bring in or cause to be brought into this state cigarettes with respect to which no evidence of tax payment is required thereon as provided in section 5743.04 of the Revised Code; or

(2) Who are engaged in the business of selling cigarettes or tobacco products to others for the purpose of resale.

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~~(29) Deduct, to the extent not otherwise deducted or excluded in computing federal or Ohio adjusted gross income for the taxable year, any loss from wagering transactions that is allowed as an itemized deduction under section 165 of the Internal Revenue Code and that the taxpayer deducted in computing federal taxable income.~~

~~(30) Deduct, to the extent not otherwise deducted or excluded in computing federal or Ohio adjusted gross income for the taxable year, any income derived from a transfer agreement or from the enterprise transferred under that agreement under section 4313.02 of the Revised Code.~~

~~(31)(30) Deduct, to the extent not otherwise deducted or excluded in computing federal or Ohio adjusted gross income for the taxable year, Ohio college opportunity or federal Pell grant amounts received by the taxpayer or the taxpayer's spouse or dependent pursuant to section 3333.122 of the Revised Code or 20 U.S.C. 1070a, et seq., and used to pay room or board furnished by the educational institution for which the grant was awarded at the institution's facilities, including meal plans administered by the institution. For the purposes of this division, receipt of a grant includes the distribution of a grant directly to an educational institution and the crediting of the grant to the enrollee's account with the institution.~~

(31) Deduct one-half of the taxpayer's Ohio small business investor income, the deduction not to exceed sixty-two thousand five hundred dollars for each spouse if spouses file separate returns under section 5747.08 of the Revised Code or one hundred twenty-five thousand dollars for all other taxpayers. No pass-through entity may claim a deduction under this division.

For the purposes of this division, "Ohio small business investor income" means the portion of a taxpayer's adjusted gross income that is business income reduced by deductions from business income and apportioned or allocated to this state under sections 5747.21 and 5747.22 of the Revised Code, to the extent not otherwise deducted or excluded in computing federal or Ohio adjusted gross income for the taxable year.

(32) To the extent included in federal adjusted gross income, deduct the fair market value of services provided free of charge by dentists and dental hygienists under the hope for a smile program established in section 3701.139 of the Revised Code.

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(B) "Business income" means income, including gain or loss, arising from transactions, activities, and sources in the regular course of a trade or business and includes income, gain, or loss from real property, tangible property, and intangible property if the acquisition, rental, management, and disposition of the property constitute integral parts of the regular course of a

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during the immediately succeeding calendar year, exceed the total amount distributed to counties from the local government fund and local government revenue assistance fund during calendar year 2007.

Sec. 5747.71. For taxable years beginning on or after January 1, 2013, there is hereby allowed a nonrefundable credit against the tax imposed by section 5747.02 of the Revised Code for a taxpayer who is an "eligible individual" as defined in section 32 of the Internal Revenue Code. The credit shall equal five per cent of the credit allowed on the taxpayer's federal income tax return pursuant to section 32 of the Internal Revenue Code for the taxable year. If the Ohio adjusted gross income of the taxpayer, or the taxpayer and the taxpayer's spouse if the taxpayer and the taxpayer's spouse file a joint return under section 5747.08 of the Revised Code, less applicable exemptions under section 5747.025 of the Revised Code, exceeds twenty thousand dollars, the credit authorized by this section shall not exceed fifty per cent of the amount of tax otherwise due under section 5747.02 of the Revised Code after deducting any other nonrefundable credits that precede the credit allowed under this section in the order prescribed by section 5747.98 of the Revised Code except for the joint filing credit authorized under division (G) of section 5747.05 of the Revised Code. In all other cases, the credit authorized by this section shall not exceed the amount of tax otherwise due under section 5747.02 of the Revised Code after deducting any other nonrefundable credits that precede the credit allowed under this section in the order prescribed by section 5747.98 of the Revised Code.

The credit shall be claimed in the order prescribed by section 5747.98 of the Revised Code.

Sec. 5747.76. (A) As used in this section, "certificate owner" has the same meaning as in section 149.311 of the Revised Code.

(B) There is allowed a credit against the tax imposed under section 5747.02 of the Revised Code for a taxpayer that is the certificate owner of a rehabilitation tax credit certificate issued under section 149.311 of the Revised Code. The credit shall equal twenty-five per cent of the dollar amount indicated on the certificate, but the amount of credit allowed for any taxpayer shall not exceed five ten million dollars. The credit shall be claimed for the taxable year specified in the certificate and in the order required under section 5747.98 of the Revised Code. RIC

(C) Nothing in this section limits or disallows pass-through treatment of the credit if the certificate owner is a pass-through entity. If the certificate owner is a pass-through entity, the amount of the credit allowed for the pass-through entity shall not exceed five million dollars. If the certificate

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 Date: 6-30-12

 John R. Kasich, Governor

Division and the regional economic development offices and for grants for cooperative economic development ventures.

REDEVELOPMENT ASSISTANCE

The foregoing appropriation item 195426, Redevelopment Assistance, shall be used to fund the costs of administering the Clean Ohio Revitalization program and other urban revitalization programs that may be implemented by the Development Services Agency. Of the foregoing appropriation item 195426, Redevelopment Assistance, \$1,500,000 in fiscal year 2014 shall be used for the Famicos Foundation.

CDBG OPERATING MATCH

The foregoing appropriation item 195497, CDBG Operating Match, shall be used as matching funds for grants from the United States Department of Housing and Urban Development pursuant to the Housing and Community Development Act of 1974 and regulations and policy guidelines for the programs pursuant thereto.

APPALACHIAN LOCAL DEVELOPMENT DISTRICTS

The foregoing appropriation item 195501, Appalachian Local Development Districts, shall be used to support four local development districts. Of the foregoing appropriation amount in each fiscal year, up to \$135,000 shall be allocated to the Ohio Valley Regional Development Commission, up to \$135,000 shall be allocated to the Ohio Mid-Eastern Government Association, up to \$135,000 shall be allocated to the Buckeye Hills-Hocking Valley Regional Development District, and up to \$35,000 shall be allocated to the Eastgate Regional Council of Governments. Local development districts receiving funding under this section shall use the funds for the implementation and administration of programs and duties under section 107.21 of the Revised Code.

TECHNOLOGY PROGRAMS AND GRANTS

Of the foregoing appropriation item 195532, Technology Programs and Grants, up to \$547,341 in each fiscal year shall be used for operating expenses incurred in administering the Ohio Third Frontier pursuant to sections 184.10 to 184.20 of the Revised Code; and up to \$13,000,000 in each fiscal year shall be used for the Thomas Edison Program pursuant to sections 122.28 to 122.38 of the Revised Code, of which not less than \$8,700,000 shall be allocated for the Edison Center Network entities defined in division (C) of section 122.33 of the Revised Code, and not more than ten per cent shall be used for operating expenses incurred in administering the program.

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BUSINESS ASSISTANCE

The foregoing appropriation item 195533, Business Assistance, may be

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programs. These funds are to be used for the marketing and promotion of travel and tourism in Ohio.

DEVELOPMENT SERVICES REIMBURSABLE EXPENDITURES

The foregoing appropriation item 195636, Development Services Reimbursable Expenditures, shall be used for reimbursable costs incurred by the agency. Revenues to the General Reimbursement Fund (Fund 6850) shall consist of moneys charged for administrative costs that are not central service costs.

SECTION 257.40. WORKFORCE DEVELOPMENT INITIATIVES

Of the foregoing appropriation item 195643, Workforce Development Initiatives, \$500,000 in fiscal year 2014 shall be used to fund the Heavy Machinery Pilot Program at Central Ohio Technical College for tuition support and reimbursement to train approximately 30 students for careers in construction and the oil and gas industries in Eastern Ohio and statewide.

Of the foregoing appropriation item 195643, Workforce Development Initiative, \$500,000 in each fiscal year shall be used for grants to BioOhio to support the Bioscience Workforce Development Initiative for training incumbent and prospective workers in the bioscience manufacturing industry in partnership with community colleges. BioOhio shall provide an annual report to the Office of the Governor and the General Assembly assessing the progress of the BioScience Workforce Development Initiative, and the report shall include enrollment and placement statistics.

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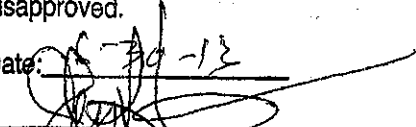
HEAP WEATHERIZATION

Up to twenty-five per cent of the federal funds deposited to the credit of the Home Energy Assistance Block Grant Fund (Fund 3K90) may be expended from appropriation item 195614, HEAP Weatherization, to provide home weatherization services in the state as determined by the Director of Development Services. Any transfers or increases in appropriation for the foregoing appropriation items 195614, HEAP Weatherization, or 195611, Home Energy Assistance Block Grant, shall be subject to approval by the Controlling Board.

SECTION 257.50. BUSINESS ASSISTANCE PROGRAMS

The foregoing appropriation item 195649, Business Assistance Programs, shall be used for administrative expenses associated with the operation of tax credit programs, loan servicing, the Ohio Film Office, workforce initiatives, and the Office of Strategic Business Investments.

STATE SPECIAL PROJECTS

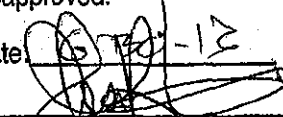
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Date: 6-13-13

John R. Kasich, Governor

GRF 600321	Program Support	\$	31,320,964	\$	31,109,751
GRF 600410	TANF State/Maintenance of Effort	\$	152,386,934	\$	152,386,934
GRF 600413	Child Care State/Maintenance of Effort	\$	84,732,730	\$	84,732,730
GRF 600416	Information Technology Projects	\$	54,223,871	\$	54,184,700
GRF 600420	Child Support Programs	\$	6,498,667	\$	6,591,048
GRF 600421	Family Assistance Programs	\$	3,161,930	\$	3,161,930
GRF 600423	Families and Children Programs	\$	6,384,514	\$	6,542,517
GRF 600502	Child Support - Local	\$	23,814,103	\$	23,814,103
GRF 600511	Disability Financial Assistance	\$	22,000,000	\$	22,000,000
GRF 600521	Family Assistance - Local	\$	41,132,751	\$	41,132,751
GRF 600523	Family and Children Services	\$	54,255,323	\$	54,255,323
GRF 600528	Adoption Services				
	State	\$	28,623,389	\$	28,623,389
	Federal	\$	38,202,557	\$	38,202,557
	Adoption Services Total	\$	66,825,946	\$	66,825,946
GRF 600533	Child, Family, and Adult Community & Protective Services	\$	13,500,000	\$	13,500,000
GRF 600534	Adult Protective Services	\$	500,000	\$	500,000
GRF 600535	Early Care and Education	\$	123,596,474	\$	123,596,474
GRF 600540	Food Banks	\$	6,000,000	\$	6,000,000
GRF 600541	Kinship Permanency Incentive Program	\$	3,500,000	\$	3,500,000
GRF 655522	Medicaid Program Support - Local	\$	38,267,970	\$	38,267,970
GRF 655523	Medicaid Program Support - Local Transportation	\$	30,680,495	\$	30,680,495
TOTAL GRF General Revenue Fund					
	State	\$	724,580,115	\$	724,580,115
	Federal	\$	38,202,557	\$	38,202,557
	GRF Total	\$	762,782,672	\$	762,782,672
General Services Fund Group					
4A80 600658	Public Assistance Activities	\$	34,000,000	\$	34,000,000
5DM0 600633	Administration & Operating	\$	19,660,339	\$	19,660,339
5HC0 600695	Unemployment Compensation Interest	\$	60,000,000	\$	60,000,000
5HL0 600602	State and County Shared Services	\$	3,020,000	\$	3,020,000
6130 600645	Training Activities	\$	8,100,000	\$	92,989
TOTAL GSF General Services Fund Group		\$	124,780,339	\$	116,773,328
Federal Special Revenue Fund Group					
3270 600606	Child Welfare	\$	29,769,866	\$	29,769,866
3310 600615	Veterans Programs	\$	8,000,000	\$	8,000,000
3310 600624	Employment Services Programs	\$	26,000,000	\$	26,000,000
3310 600686	Workforce Programs	\$	6,260,000	\$	6,260,000
3840 600610	Food Assistance Programs	\$	209,333,246	\$	180,381,394
3850 600614	Refugee Services	\$	12,564,952	\$	12,564,952

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The above boxed and initialed text was disapproved.

Date 5/12/12



John R. Kasich, Governor

protocols; (D) the persons to whom the recommended tool should apply; and (E) the implications for treatment. The report shall be completed by December 1, 2013, and shall be distributed to the Governor. The Department of Youth Services may receive funds for piloting the recommended tool in detention centers.

SECTION 501.20. All items set forth in sections 501.20 and 501.30 of this act are hereby appropriated for the biennium ending on June 30, 2015, out of any moneys in the state treasury to the credit of the Administrative Building Fund (Fund 7026) that are not otherwise appropriated. *SRIC*

		Appropriations
CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD		
C87412 Capitol Square Security	\$	1,200,000
TOTAL Capitol Square Review and Advisory Board	\$	1,200,000

		Appropriations
SECTION 501.30. TOS TREASURER OF STATE		
C09001 Treasury Management System	\$	10,000,000
TOTAL Treasurer of State	\$	10,000,000
TOTAL Administrative Building Fund	\$	11,200,000

The foregoing appropriation item C09001, Treasury Management System, shall be used to pay costs incurred in the acquisition and implementation of the Treasury Management System.

The Treasurer of State may acquire and implement a Treasury Management System, including, but not limited to, the application hardware and software and the installation and implementation thereof, for the use of the Treasurer of State. The Treasury Management System is an integrated treasury technology infrastructure system that will replace the Treasurer of State's existing separate cash, custody, investment, and accounting software and administration systems for the various treasury functions performed by the state.

The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. of the Revised Code, particularly section 154.24 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$11,200,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay costs associated with previously authorized capital facilities and the capital facilities referred to in this section of the act.

SRIC

The above boxed and initialed text was disapproved.

Date: *9/13*

[Signature]

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Of the foregoing appropriation item 761321, Operating Expense – Information and Education, up to \$250,000 in each fiscal year may be used to fund state employees to staff travel information centers on the border of the state.

The Department of Public Safety shall conduct a study for partnering with local travel and tourism centers, as well as a study for the creation of the Ohio Ambassadors Volunteer Program at rest stops.

LEASE RENTAL PAYMENTS

The foregoing appropriation item 761401, Lease Rental Payments, shall be used for payments to the Treasurer of State for the period July 1, 2013, through June 30, 2015, under the primary leases and agreements for public safety related buildings. The appropriations are the source of funds pledged for bond service charges on obligations pursuant to Chapters 152. and 154. of the Revised Code.

OPERATING EXPENSE - HIGHWAY PATROL

On July 1, 2013, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$510,900 cash from the GRF to the State Highway Safety Fund (Fund 7036). The transferred cash shall be used by the State Highway Patrol for the purchase of specialized equipment for examining commercial truck cargo.

JRK

CASH TRANSFERS BETWEEN FUNDS

Notwithstanding any provision of law to the contrary, the Director of Budget and Management, upon the written request of the Director of Public Safety, may transfer cash between the following six funds: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Homeland Security Fund (Fund 5DS0), the Investigations Fund (Fund 5FL0), the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30), the Justice Program Services Fund (Fund 4P60), and the State Bureau of Motor Vehicles Fund (Fund 4W40).

CASH TRANSFER FROM TEEN DRIVER EDUCATION FUND TO LICENSE PLATE CONTRIBUTION FUND

On July 1, 2013, or as soon as possible thereafter, the Director of Budget and Management may transfer the cash balance in the Teen Driver Education Fund (Fund 5JS0) to the License Plate Contribution Fund (Fund 5V10). Upon completion of the transfer, Fund 5JS0 is hereby abolished.

CASH TRANSFER FROM HILLTOP UTILITY REIMBURSEMENT FUND TO STATE HIGHWAY SAFETY FUND

Not later than January 1, 2014, the Director of Budget and Management may transfer the cash balance in the Hilltop Utility Reimbursement Fund (Fund 4S30) to the State Highway Safety Fund (Fund 7036). Upon

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Director shall agree upon an amount representing the savings realized from decreased nursing facility utilization to be transferred within the biennium from the Department of Medicaid to the Department of Mental Health and Addiction Services to support non-Medicaid program costs for individuals moving into community settings.

Of the foregoing appropriation item 651525, Medicaid/Health Care Services, the Medicaid Director shall transfer the amount agreed upon representing the savings from the General Revenue Fund to the Sale of Goods and Services Fund (Fund 1490). The transfer shall be made using an intrastate transfer voucher. The transferred cash is hereby appropriated to appropriation item 335609, Community Operating/Planning.

SECTION 751.41. (A) The Workforce Training Pilot Program for the Economically Disadvantaged is hereby established to provide grants to provide training in life and technical skills. The Director of Job and Family Services shall administer the Pilot Program for a period of two years, beginning July 1, 2013.

(B) The Director of Job and Family Services, in consultation with the Director of Development Services and JobsOhio, shall issue a request for proposals to allow an entity to receive a grant under this section to create and administer a demonstration project in the field of workforce development. The demonstration project shall provide training to those individuals located in the region described in division (C) of this section where the project is located who the applicant determines are economically disadvantaged. The request for proposals shall include all of the following requirements:

(1) That the applicant shall include in the proposal a description of the manner in which the applicant will determine whether an individual is economically disadvantaged;

(2) That the demonstration project shall provide life skills training, to assist an individual to develop character traits necessary to obtain employment, and technical, field-related training;

(3) That the applicant is collaborating with an organization in the region described in division (C) of this section where the project is located and at least one community-based nonprofit organization that has experience in life-skill support services and workforce development;

(4) That the applicant satisfies any other requirements established in the request for proposals.

(C)(1) The Director of Job and Family Services, in consultation with the Director of Development Services and JobsOhio, shall award a grant in

JRK

The above boxed and initialed text was disapproved.

Date:

6-30-13

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fiscal year 2014 for a demonstration project described in division (B) of this section in each of the following regions of the state:

(a) The counties of Allen, Crawford, Defiance, Fulton, Hancock, Hardin, Henry, Lucas, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood, and Wyandot;

(b) The counties of Ashland, Ashtabula, Columbiana, Cuyahoga, Erie, Geauga, Huron, Lake, Lorain, Mahoning, Medina, Portage, Richland, Stark, Summit, Trumbull, Tuscarawas, and Wayne;

(c) The counties of Auglaize, Champaign, Clark, Clinton, Darke, Fayette, Greene, Mercer, Miami, Montgomery, Preble, and Shelby;

(d) The counties of Delaware, Fairfield, Franklin, Knox, Licking, Logan, Madison, Marion, Morrow, Pickaway, and Union;

(e) The counties of Adams, Athens, Belmont, Carroll, Coshocton, Gallia, Guernsey, Harrison, Highland, Hocking, Holmes, Jackson, Jefferson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton, and Washington;

(f) The counties of Brown, Butler, Clermont, Hamilton, and Warren.

(2) The Director of Job and Family Services may award a grant to one or two demonstration projects located in a region described in division (C)(1) of this section, however, no region shall receive more than one million dollars in grant funding under this section.

(D) The Director of Job and Family Services shall adopt rules in accordance with Chapter 119. of the Revised Code to establish reporting requirements for grant recipients under this section. Those rules shall require a grant recipient to report on the successful completion rate of project participants, rate of job placement of participants, tracking of participant's employment after completion of the project, and any other information requested by the Director. The Director shall require grant recipients to report this information during the two-year Pilot Program and to submit a final report upon the expiration of the Pilot Program. A grant recipient shall comply with rules adopted by the Director.

(E) On July 1, 2013, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$8,000,000 cash from the Economic Development Projects Fund (Fund 5JC0) used by the Board of Regents to the Training Activities Fund (Fund 6130) used by the Department of Job and Family Services. The transferred funds shall be used for the Pilot Program established in this section.

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SECTION 753.30. (A) There is the State Facility Utilization and Consolidation Task Force. The Task Force shall create an inventory of

The above boxed and initialed text was disapproved.
Date: 6/30/13
[Signature]
John R. Kasich, Governor

not later than July 1, 2014.

SECTION 803.80. (A) The amendment by this act of divisions (A)(26) and (GG) of section 5747.01, section 5747.022 by adding the last sentence thereto, and of division (A) of section 5747.025 of the Revised Code applies to taxable years beginning on or after January 1, 2014.

(B) The amendment by this act of divisions (A)(26), (29), (31), and (33) of section 5747.01, the first sentence of section 5747.022, division (C) of section 5747.025, and of sections 5747.02, 5747.05, 5747.08, 5747.21, 5747.22, and 5748.01 and the repeal of section 5747.211 of the Revised Code apply to taxable years beginning on or after January 1, 2013.

SECTION 803.90. (A) Except as provided in division (B) of this section, the amendment by this act of section 5751.01 of the Revised Code applies to tax periods ending on or after the effective date of that amendment.

(B) The amendment by this act of section 5751.02, division (A) of section 5751.051, divisions (B)(1), (B)(2), and (J) of section 5751.20, and all divisions of section 5751.01 of the Revised Code except divisions (F)(2)(z) and (jj) of that section shall take effect July 1, 2014.

(C) The amendment by this act of divisions (F)(2)(z) and (jj) of section 5751.01 of the Revised Code applies to original returns filed on or after January 1, 2014.

(D) The amendment by this act of section 5751.03 and division (B)(2) of section 5751.051 of the Revised Code applies to tax periods beginning on or after January 1, 2014.

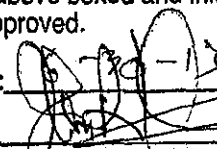
SECTION 803.120. (A) The amendment by this act of section 1509.50, division (C)(12) of section 5703.21, section 5749.02, divisions (D), (F), (H), and (I) of section 5749.06, and section 5749.17 of the Revised Code applies to calendar quarters beginning on or after October 1, 2013.

(B) The amendment by this act of division (G) of section 5749.06 of the Revised Code applies to the severance of natural resources occurring in calendar quarters beginning on or after January 1, 2014.

SECTION 803.160. (A) References to the Ohio Cooperative Extension Service, or use of a similar term, in any contracts, agreements, or other instruments that were entered into or executed prior to the effective date of this section pursuant to state statutes are deemed to be references to OSU

The above boxed and initialed text was disapproved.

Date:



John R. Kasich, Governor

Extension as defined in section 1.611 of the Revised Code as enacted by this act.

(B) References to the Ohio Cooperative Extension Service, or use of a similar term, in rules adopted prior to the effective date of this section pursuant to state statutes are deemed to be references to OSU Extension.

SECTION 803.170. The amendment by this act of section 5709.17 of the Revised Code applies to tax year 2013 and every tax year thereafter.

SECTION 803.180. The amendment or enactment by this act of sections 5735.012 and 5735.013 applies on and after January 1, 2014.

SECTION 803.190. (A) The amendment or enactment by this act of division (I), except for divisions (I)(2)(g) and (I)(4), of section 5741.01 of the Revised Code applies to the storage, use, or other consumption of tangible personal property or services occurring on and after the first month beginning after the effective date of that division and section.

(B) The amendment by this act of divisions (I)(2)(g) and (I)(4) of section 5741.01 and section 5741.17 of the Revised Code applies to the storage, use, or other consumption of tangible personal property or services occurring on and after October 1, 2013, regardless of the date a seller and a resident entered into an agreement described in division (I)(2)(g) of section 5741.01 of the Revised Code. On that date, as used in divisions (I)(2)(g) and (I)(4) of section 5741.01 of the Revised Code, "preceding twelve months" means the twelve months beginning October 1, 2012, and ending September 30, 2013.

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(C) The amendment by this act of section 5739.02 of the Revised Code, adding divisions (B)(49)(b) and (54), applies to retail sales occurring on or after the first day of the first month beginning after the effective date of that section.

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(D) The amendment by this act of section 5739.01, adding divisions (B)(12) and (QQQ), and of division (B)(4) of section 5739.02 of the Revised Code applies to the storage, use, or other consumption of tangible personal property or services and retail sales made on or after January 1, 2014.

(E) The amendment by this act of division (A) of section 5739.02 and sections 5739.10 and 5741.02 of the Revised Code applies to the storage, use, or other consumption of tangible personal property and services and retail sales made on or after September 1, 2013.

The above boxed and initialed text was disapproved.
Date: _____
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Constitution, Article II, Section 1d and section 1.471 of the Revised Code and therefore takes effect immediately when this act becomes law or, if a later effective date is specified below, on that date.

Sections 131.51, 731.091, 3314.05, 3734.57, 3734.901, 4301.43, 5727.84, 5739.10, 5741.02, 5747.501, and 5753.03 of the Revised Code.

Sections of this act prefixed with section numbers in the 200's, 300's, 400's, and 500's except for sections 323.10.70, 323.70, 323.110, 323.120, 323.480, 363.230, 363.520, 363.540, and 363.550 of this act.

Sections 605.30 and 605.31 of this act.

Section 751.41 of this act. *JK*

Section 803.210 of this act.

Sections 812.10, 812.20, and 812.30 of this act.

The enactment of section 5168.41 of the Revised Code takes effect July 1, 2013.

The amendment of sections 120.06 and 5139.04 of the Revised Code takes effect July 1, 2013.

SECTION 812.30. The sections that are listed in the left-hand column of the following table combine amendments by this act that are and that are not exempt from the referendum under Ohio Constitution, Article II, sections 1c and 1d and section 1.471 of the Revised Code.

The middle column identifies the amendments to the listed sections that are subject to the referendum under Ohio Constitution, Article II, Section 1c and therefore take effect on the ninety-first day after this act is filed with the Secretary of State or, if a later effective date is specified, on that date.

The right-hand column identifies the amendments to the listed sections that are exempt from the referendum under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code and therefore take effect immediately when this act becomes law or, if a later effective date is specified, on that date.

Section of law	Amendments subject to referendum	Amendments exempt from referendum
3745.11	Amendments to division (M)(5)	All amendments except as described in the middle column
3721.50 (5168.40)	All amendments except as described in the right-hand column	Amendments to division (F)

The above boxed and initialed text was disapproved.

Date: *8/20/13*

[Signature]
John R. Kasich, Governor