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Veterans Affairs Committee**

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Sub. H. B. No. 323

**Representatives Hoops, Wolpert, Daniels, Chandler, Cirelli, Collier,
Domenick, C. Evans, Fessler, Flowers, Martin, McGregor, Olman, Price,
Schlichter, Sferra, Skindell, Ujvagi, Wagner, Walcher, Allen, Aslanides,
Barrett, Brown, Buehrer, Calvert, Carano, Carmichael, Combs, DeBose,
DeGeeter, D. Evans, Gibbs, Gilb, Hagan, Hartnett, Harwood, Hughes, Jerse,
Key, Latta, Miller, Niehaus, Otterman, S. Patton, T. Patton, Perry, Peterson,
Reidelbach, Schmidt, Seaver, Seitz, Setzer, D. Stewart, Strahorn, Taylor,
Webster, Widener, Wilson, Woodard
Senators Robert Gardner, Mumper, Zurz, Roberts**

A B I L L

To amend sections 307.12, 505.10, and 3313.41 of the	1
Revised Code to allow boards of county	2
commissioners, boards of township trustees, and	3
school boards to donate certain personal property	4
to eligible nonprofit organizations located in	5
Ohio, to authorize the conveyance of certain	6
state-owned real estate in Columbiana County to	7
the East Liverpool Young Men's Christian	8
Association, and to authorize the Governor to	9
convey certain state-owned real estate located in	10
Wood County.	11

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

Section 1. That sections 307.12, 505.10, and 3313.41 of the	12
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Revised Code be amended to read as follows: 13

Sec. 307.12. (A) Except as otherwise provided in divisions 14
~~(B), (C), and (D)~~, (E), and (G) of this section, when the board of 15
county commissioners finds, by resolution, that the county has 16
personal property, including motor vehicles acquired for the use 17
of county officers and departments, and road machinery, equipment, 18
tools, or supplies, which is not needed for public use, ~~or~~ is 19
obsolete, or is unfit for the use for which it was acquired, and 20
when the fair market value of the property to be sold or donated 21
under this division is, in the opinion of the board, in excess of 22
two thousand five hundred dollars, the board may do either of the 23
following: 24

(1) Sell the property at public auction or by sealed bid to 25
the highest bidder. Notice of the time, place, and manner of the 26
sale shall be published in a newspaper of general circulation in 27
the county at least ten days prior to the sale, and a typewritten 28
or printed notice of the time, place, and manner of the sale shall 29
be posted at least ten days before the sale in the offices of the 30
county auditor and the board of county commissioners. 31

If a board conducts a sale of property by sealed bid, the 32
form of the bid shall be as prescribed by the board, and each bid 33
shall contain the name of the person submitting it. Bids received 34
shall be opened and tabulated at the time stated in the notice. 35
The property shall be sold to the highest bidder, except that the 36
board may reject all bids and hold another sale, by public auction 37
or sealed bid, in the manner prescribed by this section. 38

(2) Donate any motor vehicle that does not exceed four 39
thousand five hundred dollars in value to a nonprofit organization 40
exempt from federal income taxation pursuant to 26 U.S.C. 501(a) 41
and (c)(3) for the purpose of meeting the transportation needs of 42

participants in the Ohio works first program established under 43
Chapter 5107. of the Revised Code and participants in the 44
prevention, retention, and contingency program established under 45
Chapter 5108. of the Revised Code. 46

(B) When the board of county commissioners finds, by 47
resolution, that the county has personal property, including motor 48
vehicles acquired for the use of county officers and departments, 49
and road machinery, equipment, tools, or supplies, which is not 50
needed for public use, ~~or~~ is obsolete, or is unfit for the use for 51
which it was acquired, and when the fair market value of the 52
property to be sold or donated under this division is, in the 53
opinion of the board, two thousand five hundred dollars or less, 54
the board may ~~sell~~ do either of the following: 55

(1) Sell the property by private sale, without advertisement 56
or public notification; 57

(2) Donate the property to an eligible nonprofit organization 58
that is located in this state and is exempt from federal income 59
taxation pursuant to 26 U.S.C. 501(a) and (c)(3). Before donating 60
any property under this division, the board shall adopt a 61
resolution expressing its intent to make unneeded, obsolete, or 62
unfit-for-use county personal property available to these 63
organizations. The resolution shall include guidelines and 64
procedures the board considers necessary to implement a donation 65
program under this division and shall indicate whether the county 66
will conduct the donation program or the board will contract with 67
a representative to conduct it. If a representative is known when 68
the resolution is adopted, the resolution shall provide contact 69
information such as the representative's name, address, and 70
telephone number. 71

The resolution shall include within its procedures a 72
requirement that any nonprofit organization desiring to obtain 73
donated property under this division shall submit a written notice 74

to the board or its representative. The written notice shall
include evidence that the organization is a nonprofit organization
that is located in this state and is exempt from federal income
taxation pursuant to 26 U.S.C. 501(a) and (c)(3); a description of
the organization's primary purpose; a description of the type or
types of property the organization needs; and the name, address,
and telephone number of a person designated by the organization's
governing board to receive donated property and to serve as its
agent.

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After adoption of the resolution, the board shall publish, in
a newspaper of general circulation in the county, notice of its
intent to donate unneeded, obsolete, or unfit-for-use county
personal property to eligible nonprofit organizations. The notice
shall include a summary of the information provided in the
resolution and shall be published at least twice. The second and
any subsequent notice shall be published not less than ten nor
more than twenty days after the previous notice. A similar notice
also shall be posted continually in a conspicuous place in the
offices of the county auditor and the board of county
commissioners, and, if the county maintains a web site on the
internet, the notice shall be posted continually at that web site.

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The board or its representative shall maintain a list of all
nonprofit organizations that notify the board or its
representative of their desire to obtain donated property under
this division and that the board or its representative determines
to be eligible, in accordance with the requirements set forth in
this section and in the donation program's guidelines and
procedures, to receive donated property.

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The board or its representatives also shall maintain a list
of all county personal property the board finds to be unneeded,
obsolete, or unfit for use and to be available for donation under
this division. The list shall be posted continually in a

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conspicuous location in the offices of the county auditor and the 107
board of county commissioners, and, if the county maintains a web 108
site on the internet, the list shall be posted continually at that 109
web site. An item of property on the list shall be donated to the 110
eligible nonprofit organization that first declares to the board 111
or its representative its desire to obtain the item unless the 112
board previously has established, by resolution, a list of 113
eligible nonprofit organizations that shall be given priority with 114
respect to the item's donation. Priority may be given on the basis 115
that the purposes of a nonprofit organization have a direct 116
relationship to specific public purposes of programs provided or 117
administered by the board. A resolution giving priority to certain 118
nonprofit organizations with respect to the donation of an item of 119
property shall specify the reasons why the organizations are given 120
that priority. 121

(C) Members of the board of county commissioners shall 122
consult with the Ohio ethics commission, and comply with the 123
provisions of Chapters 102. and 2921. of the Revised Code, with 124
respect to any sale or donation under division (A) or (B) of this 125
section to a nonprofit organization of which a county 126
commissioner, any member of the county commissioner's family, or 127
any business associate of the county commissioner is a trustee, 128
officer, board member, or employee. 129

(D) Notwithstanding anything to the contrary in division (A), 130
(B), or ~~(C)~~(E) of this section and regardless of the property's 131
value, the board of county commissioners may sell or donate county 132
personal property, including motor vehicles, to the federal 133
government, the state, or any political subdivision of the state 134
without advertisement or public notification. 135

~~(C)~~(E) Notwithstanding anything to the contrary in division 136
(A), (B), or ~~(E)~~(G) of this section and regardless of the 137
property's value, the board of county commissioners may sell 138

personal property, including motor vehicles acquired for the use 139
of county officers and departments, and road machinery, equipment, 140
tools, or supplies, which is not needed for public use, ~~or~~ is 141
obsolete, or is unfit for the use for which it was acquired, by 142
internet auction. The board shall adopt, during each calendar 143
year, a resolution expressing its intent to sell that property by 144
internet auction. The resolution shall include a description of 145
how the auctions will be conducted and shall specify the number of 146
days for bidding on the property, which shall be no less than 147
fifteen days, including Saturdays, Sundays, and legal holidays. 148
The resolution shall indicate whether the county will conduct the 149
auction or the board will contract with a representative to 150
conduct the auction and shall establish the general terms and 151
conditions of sale. If a representative is known when the 152
resolution is adopted, the resolution shall provide contact 153
information such as the representative's name, address, and 154
telephone number. 155

After adoption of the resolution, the board shall publish, in 156
a newspaper of general circulation in the county, notice of its 157
intent to sell unneeded, obsolete, or unfit-~~for-use~~ county 158
personal property by internet auction. The notice shall include a 159
summary of the information provided in the resolution and shall be 160
published at least twice. The second and any subsequent notice 161
shall be published not less than ten nor more than twenty days 162
after the previous notice. A similar notice also shall be posted 163
continually throughout the calendar year in a conspicuous place in 164
the offices of the county auditor and the board of county 165
commissioners, and, if the county maintains a ~~website~~ web site on 166
the internet, the notice shall be posted continually throughout 167
the calendar year at that ~~website~~ web site. 168

When property is to be sold by internet auction, the board or 169
its representative may establish a minimum price that will be 170

accepted for specific items and may establish any other terms and 171
conditions for the particular sale, including requirements for 172
pick-up or delivery, method of payment, and sales tax. This type 173
of information shall be provided on the internet at the time of 174
the auction and may be provided before that time upon request 175
after the terms and conditions have been determined by the board 176
or its representative. 177

~~(D)~~(F) When a county officer or department head determines 178
that county-owned personal property under the jurisdiction of the 179
officer or department head, including motor vehicles, road 180
machinery, equipment, tools, or supplies, is not of immediate 181
need, the county officer or department head may notify the board 182
of county commissioners, and the board may lease that personal 183
property to any municipal corporation, township, or other 184
political subdivision of the state. The lease shall require the 185
county to be reimbursed under terms, conditions, and fees 186
established by the board, or under contracts executed by the 187
board. 188

~~(E)~~(G) If the board of county commissioners finds, by 189
resolution, that the county has vehicles, equipment, or machinery 190
which is not needed, or is unfit for public use, and the board 191
desires to sell the vehicles, equipment, or machinery to the 192
person or firm from which it proposes to purchase other vehicles, 193
equipment, or machinery, the board may offer to sell the vehicles, 194
equipment, or machinery to that person or firm, and to have the 195
selling price credited to the person or firm against the purchase 196
price of other vehicles, equipment, or machinery. 197

~~(F)~~(H) If the board of county commissioners advertises for 198
bids for the sale of new vehicles, equipment, or machinery to the 199
county, it may include in the same advertisement a notice of the 200
willingness of the board to accept bids for the purchase of 201
county-owned vehicles, equipment, or machinery which is obsolete 202

or not needed for public use, and to have the amount of those bids 203
subtracted from the selling price of the other vehicles, 204
equipment, or machinery as a means of determining the lowest 205
responsible bidder. 206

~~(G)~~(I) If a board of county commissioners determines that 207
county personal property is not needed for public use, or is 208
obsolete or unfit for the use for which it was acquired, and that 209
the property has no value, the board may discard or salvage that 210
property. 211

~~(H)~~(J) As used in this section, "internet" means the 212
international computer network of both federal and nonfederal 213
interoperable packet switched data networks, including the 214
graphical subnetwork called the world wide web. 215

Sec. 505.10. (A) The board of township trustees may accept, 216
on behalf of the township, the donation by bequest, devise, deed 217
of gift, or otherwise, of any real or personal property for any 218
township use. When the township has property, including motor 219
vehicles, road machinery, equipment, and tools, which the board, 220
by resolution, finds is not needed for public use, is obsolete, or 221
is unfit for the use for which it was acquired, the board may sell 222
and convey that property or otherwise dispose of it in accordance 223
with this section. Except as otherwise provided in sections 224
505.08, 505.101, and 505.102 of the Revised Code, the sale or 225
other disposition of unneeded, obsolete, or unfit_for_use property 226
shall be made in accordance with one of the following: 227

~~(A)~~(1) If the fair market value of property to be sold is, in 228
the opinion of the board, in excess of two thousand five hundred 229
dollars, the sale shall be by public auction or by sealed bid to 230
the highest bidder. The board shall publish notice of the time, 231
place, and manner of the sale once a week for three weeks in a 232
newspaper published, or of general circulation, in the township, 233

the last of those publications to be at least five days before the 234
date of sale, and shall post a typewritten or printed notice of 235
the time, place, and manner of the sale in the office of the board 236
for at least ten days prior to the sale. 237

If the board conducts the sale of the property by sealed bid, 238
the form of the bid shall be as prescribed by the board, and each 239
bid shall contain the name of the person submitting it. Bids 240
received shall be opened and tabulated at the time stated in the 241
published and posted notices. The property shall be sold to the 242
highest bidder, except that the board may reject all bids and hold 243
another sale, by public auction or sealed bid, in the manner 244
prescribed by this section. 245

(2) If the fair market value of property to be sold is, in 246
the opinion of the board, two thousand five hundred dollars or 247
less, the board may ~~sell~~ do either of the following: 248

(a) Sell the property by private sale, without advertisement 249
or public notification; 250

(b) Donate the property to an eligible nonprofit organization 251
that is located in this state and is exempt from federal income 252
taxation pursuant to 26 U.S.C. 501(a) and (c)(3). Before donating 253
any property under this division, the board shall adopt a 254
resolution expressing its intent to make unneeded, obsolete, or 255
unfit-for-use township property available to these organizations. 256
The resolution shall include guidelines and procedures the board 257
considers to be necessary to implement the donation program and 258
shall indicate whether the township will conduct the donation 259
program or the board will contract with a representative to 260
conduct it. If a representative is known when the resolution is 261
adopted, the resolution shall provide contact information such as 262
the representative's name, address, and telephone number. 263

The resolution shall include within its procedures a 264

requirement that any nonprofit organization desiring to obtain 265
donated property under this division shall submit a written notice 266
to the board or its representative. The written notice shall 267
include evidence that the organization is a nonprofit organization 268
that is located in this state and is exempt from federal income 269
taxation pursuant to 26 U.S.C. 501(a) and (c)(3); a description of 270
the organization's primary purpose; a description of the type or 271
types of property the organization needs; and the name, address, 272
and telephone number of a person designated by the organization's 273
governing board to receive donated property and to serve as its 274
agent. 275

After adoption of the resolution, the board shall publish, in 276
a newspaper of general circulation in the township, notice of its 277
intent to donate unneeded, obsolete, or unfit-for-use township 278
property to eligible nonprofit organizations. The notice shall 279
include a summary of the information provided in the resolution 280
and shall be published at least twice. The second and any 281
subsequent notice shall be published not less than ten nor more 282
than twenty days after the previous notice. A similar notice also 283
shall be posted continually in the board's office, and, if the 284
township maintains a web site on the internet, the notice shall be 285
posted continually at that web site. 286

The board or its representatives shall maintain a list of all 287
nonprofit organizations that notify the board or its 288
representative of their desire to obtain donated property under 289
this division and that the board or its representative determines 290
to be eligible, in accordance with the requirements set forth in 291
this section and in the donation program's guidelines and 292
procedures, to receive donated property. 293

The board or its representative also shall maintain a list of 294
all township property the board finds to be unneeded, obsolete, or 295
unfit for use and to be available for donation under this 296

division. The list shall be posted continually in a conspicuous 297
location in the board's office, and, if the township maintains a 298
web site on the internet, the list shall be posted continually at 299
that web site. An item of property on the list shall be donated to 300
the eligible nonprofit organization that first declares to the 301
board or its representative its desire to obtain the item unless 302
the board previously has established, by resolution, a list of 303
eligible nonprofit organizations that shall be given priority with 304
respect to the item's donation. Priority may be given on the basis 305
that the purposes of a nonprofit organization have a direct 306
relationship to specific public purposes of programs provided or 307
administered by the board. A resolution giving priority to certain 308
nonprofit organizations with respect to the donation of an item of 309
property shall specify the reasons why the organizations are given 310
that priority. 311

(3) If the board finds, by resolution, that the township has 312
motor vehicles, road machinery, equipment, or tools which are not 313
needed or are unfit for public use, and the board wishes to sell 314
the motor vehicles, road machinery, equipment, or tools to the 315
person or firm from which it proposes to purchase other motor 316
vehicles, road machinery, equipment, or tools, the board may offer 317
to sell the motor vehicles, road machinery, equipment, or tools to 318
that person or firm, and to have the selling price credited to the 319
person or firm against the purchase price of other motor vehicles, 320
road machinery, equipment, or tools. 321

(4) If the board advertises for bids for the sale of new 322
motor vehicles, road machinery, equipment, or tools to the 323
township, it may include in the same advertisement a notice of the 324
willingness of the board to accept bids for the purchase of 325
township-owned motor vehicles, road machinery, equipment, or tools 326
which are obsolete or not needed for public use, and to have the 327
amount of those bids subtracted from the selling price of the new 328

motor vehicles, road machinery, equipment, or tools, as a means of 329
determining the lowest responsible bidder. 330

(5) When a township has title to real property, the board of 331
township trustees, by resolution, may authorize the transfer and 332
conveyance of that property to any other political subdivision of 333
the state upon such terms as are agreed to between the board and 334
the legislative authority of that political subdivision. 335

(6) When a township has title to real property and the board 336
of township trustees wishes to sell or otherwise transfer the 337
property, the board, upon a unanimous vote of its members and by 338
resolution, may authorize the transfer and conveyance of that real 339
property to any person upon whatever terms are agreed to between 340
the board and that person. 341

(7) If the board of township trustees determines that 342
township personal property is not needed for public use, or is 343
obsolete or unfit for the use for which it was acquired, and that 344
the property has no value, the board may discard or salvage that 345
property. 346

(B) When the board has offered property at public auction 347
under this section and has not received an acceptable offer, the 348
board, by resolution, may enter into a contract, without 349
advertising or bidding, for the sale of that property. The 350
resolution shall specify a minimum acceptable price and the 351
minimum acceptable terms for the contract. The minimum acceptable 352
price shall not be lower than the minimum price established for 353
the public auction. 354

(C) Members of the board shall consult with the Ohio ethics 355
commission and comply with the provisions of Chapters 102. and 356
2921. of the Revised Code, with respect to any sale or donation 357
under division (A)(2) of this section to a nonprofit organization 358
of which a township trustee, any member of the township trustee's 359

family, or any business associate of the township trustee is a 360
trustee, officer, board member, or employee. 361

(D) Notwithstanding anything to the contrary in division (A) 362
or (B) of this section and regardless of the property's value, the 363
board may sell personal property, including motor vehicles, road 364
machinery, equipment, tools, or supplies, which is not needed for 365
public use, ~~or is obsolete,~~ or is unfit for the use for which it 366
was acquired, by internet auction. The board shall adopt, during 367
each calendar year, a resolution expressing its intent to sell 368
that property by internet auction. The resolution shall include a 369
description of how the auctions will be conducted and shall 370
specify the number of days for bidding on the property, which 371
shall be no less than fifteen days, including Saturdays, Sundays, 372
and legal holidays. The resolution shall indicate whether the 373
township will conduct the auction or the board will contract with 374
a representative to conduct the auction and shall establish the 375
general terms and conditions of sale. If a representative is known 376
when the resolution is adopted, the resolution shall provide 377
contact information such as the representative's name, address, 378
and telephone number. 379

After adoption of the resolution, the board shall publish, in 380
a newspaper of general circulation in the township, notice of its 381
intent to sell unneeded, obsolete, or unfit_for_use township 382
personal property by internet auction. The notice shall include a 383
summary of the information provided in the resolution and shall be 384
published at least twice. The second and any subsequent notice 385
shall be published not less than ten nor more than twenty days 386
after the previous notice. A ~~clerk also shall post~~ a similar 387
notice also shall be posted continually throughout the calendar 388
year in a conspicuous place in the board's office, and, if the 389
township maintains a web site on the internet, the notice shall be 390
posted continually throughout the calendar year at that web site. 391

When property is to be sold by internet auction, the board or
its representative may establish a minimum price that will be
accepted for specific items and may establish any other terms and
conditions for the particular sale, including requirements for
pick-up or delivery, method of payment, and sales tax. This type
of information shall be provided on the internet at the time of
the auction and may be provided before that time upon request
after the terms and conditions have been determined by the board
or its representative.

As used in this section, "internet" means the international
computer network of both federal and nonfederal interoperable
packet switched data networks, including the graphical subnetwork
called the world wide web.

Sec. 3313.41. (A) Except as provided in divisions (C), (D),
(F), and (G) of this section, when a board of education decides to
dispose of real or personal property that it owns in its corporate
capacity, and that exceeds in value ten thousand dollars, it shall
sell the property at public auction, after giving at least thirty
days' notice of the auction by publication in a newspaper of
general circulation or by posting notices in five of the most
public places in the school district in which the property, if it
is real property, is situated, or, if it is personal property, in
the school district of the board of education that owns the
property. The board may offer real property for sale as an entire
tract or in parcels.

(B) When the board of education has offered real or personal
property for sale at public auction at least once pursuant to
division (A) of this section, and the property has not been sold,
the board may sell it at a private sale. Regardless of how it was
offered at public auction, at a private sale, the board shall, as
it considers best, sell real property as an entire tract or in

parcels, and personal property in a single lot or in several lots. 423

(C) If a board of education decides to dispose of real or 424
personal property that it owns in its corporate capacity and that 425
exceeds in value ten thousand dollars, it may sell the property to 426
the adjutant general; to any subdivision or taxing authority as 427
respectively defined in divisions (A) and (C) of section 5705.01 428
of the Revised Code, township park district, board of park 429
commissioners established under Chapter 755. of the Revised Code, 430
or park district established under Chapter 1545. of the Revised 431
Code; to a wholly or partially tax-supported university, 432
university branch, or college; or to the board of trustees of a 433
school district library, upon such terms as are agreed upon. The 434
sale of real or personal property to the board of trustees of a 435
school district library is limited, in the case of real property, 436
to a school district library within whose boundaries the real 437
property is situated, or, in the case of personal property, to a 438
school district library whose boundaries lie in whole or in part 439
within the school district of the selling board of education. 440

(D) When a board of education decides to trade as a part or 441
an entire consideration, an item of personal property on the 442
purchase price of an item of similar personal property, it may 443
trade the same upon such terms as are agreed upon by the parties 444
to the trade. 445

(E) The president and the treasurer of the board of education 446
shall execute and deliver deeds or other necessary instruments of 447
conveyance to complete any sale or trade under this section. 448

(F) When a board of education has identified a parcel of real 449
property that it determines is needed for school purposes, the 450
board may, upon a majority vote of the members of the board, 451
acquire that property by exchanging real property that the board 452
owns in its corporate capacity for the identified real property or 453
by using real property that the board owns in its corporate 454

capacity as part or an entire consideration for the purchase price 455
of the identified real property. Any exchange or acquisition made 456
pursuant to this division shall be made by a conveyance executed 457
by the president and the treasurer of the board. 458

(G) When a school district board of education decides to 459
dispose of real property suitable for use as classroom space, 460
prior to disposing of ~~such that~~ property under ~~division~~ divisions 461
(A) ~~through to~~ (F) of this section, it shall first offer that 462
property for sale to the governing authorities of the start-up 463
community schools⁷ established under Chapter 3314. of the Revised 464
Code ~~and~~ located within the territory of the school district, at a 465
price that is not higher than the appraised fair market value of 466
that property. If more than one community school governing 467
authority accepts the offer made by the school district board, the 468
board shall sell the property to the governing authority that 469
accepted the offer first in time. If no community school governing 470
authority accepts the offer within sixty days after the offer is 471
made by the school district board, the board may dispose of the 472
property in the applicable manner prescribed under divisions (A) 473
to (F) of this section. 474

(H) When a school district board of education has property 475
that the board, by resolution, finds is not needed for school 476
district use, is obsolete, or is unfit for the use for which it 477
was acquired, the board may donate that property in accordance 478
with this division if the fair market value of the property is, in 479
the opinion of the board, two thousand five hundred dollars or 480
less. 481

The property may be donated to an eligible nonprofit 482
organization that is located in this state and is exempt from 483
federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3). 484
Before donating any property under this division, the board shall 485
adopt a resolution expressing its intent to make unneeded, 486

obsolete, or unfit-for-use school district property available to 487
these organizations. The resolution shall include guidelines and 488
procedures the board considers to be necessary to implement the 489
donation program and shall indicate whether the school district 490
will conduct the donation program or the board will contract with 491
a representative to conduct it. If a representative is known when 492
the resolution is adopted, the resolution shall provide contact 493
information such as the representative's name, address, and 494
telephone number. 495

The resolution shall include within its procedures a 496
requirement that any nonprofit organization desiring to obtain 497
donated property under this division shall submit a written notice 498
to the board or its representative. The written notice shall 499
include evidence that the organization is a nonprofit organization 500
that is located in this state and is exempt from federal income 501
taxation pursuant to 26 U.S.C. 501(a) and (c)(3); a description of 502
the organization's primary purpose; a description of the type or 503
types of property the organization needs; and the name, address, 504
and telephone number of a person designated by the organization's 505
governing board to receive donated property and to serve as its 506
agent. 507

After adoption of the resolution, the board shall publish, in 508
a newspaper of general circulation in the school district, notice 509
of its intent to donate unneeded, obsolete, or unfit-for-use 510
school district property to eligible nonprofit organizations. The 511
notice shall include a summary of the information provided in the 512
resolution and shall be published at least twice. The second and 513
any subsequent notice shall be published not less than ten nor 514
more than twenty days after the previous notice. A similar notice 515
also shall be posted continually in the board's office, and, if 516
the school district maintains a web site on the internet, the 517
notice shall be posted continually at that web site. 518

The board or its representatives shall maintain a list of all nonprofit organizations that notify the board or its representative of their desire to obtain donated property under this division and that the board or its representative determines to be eligible, in accordance with the requirements set forth in this section and in the donation program's guidelines and procedures, to receive donated property.

The board or its representative also shall maintain a list of all school district property the board finds to be unneeded, obsolete, or unfit for use and to be available for donation under this division. The list shall be posted continually in a conspicuous location in the board's office, and, if the school district maintains a web site on the internet, the list shall be posted continually at that web site. An item of property on the list shall be donated to the eligible nonprofit organization that first declares to the board or its representative its desire to obtain the item unless the board previously has established, by resolution, a list of eligible nonprofit organizations that shall be given priority with respect to the item's donation. Priority may be given on the basis that the purposes of a nonprofit organization have a direct relationship to specific school district purposes of programs provided or administered by the board. A resolution giving priority to certain nonprofit organizations with respect to the donation of an item of property shall specify the reasons why the organizations are given that priority.

Members of the board shall consult with the Ohio ethics commission, and comply with Chapters 102. and 2921. of the Revised Code, with respect to any donation under this division to a nonprofit organization of which a board member, any member of a board member's family, or any business associate of a board member is a trustee, officer, board member, or employee.

Section 2. That existing sections 307.12, 505.10, and 3313.41 551
of the Revised Code are hereby repealed. 552

Section 3. (A) The Governor is hereby authorized to execute a 553
deed in the name of the state conveying to the East Liverpool 554
Young Men's Christian Association, and its successors and assigns, 555
all of the state's right, title, and interest in the following 556
described real estate: 557

Situated in the City of East Liverpool, County of Columbiana 558
and State of Ohio and known as being permanent parcel number 559
37-50128. More specifically described as: 560

Known as and being Lot Number One (1) in the Replat of Lots 561
#273, 274, 275, 276, 277, 278, 279, 306, 307, 308, 309, 310, 311, 562
& 312 and their corresponding vacated portions of Grove and High 563
Alley's of the Addition of Smith, Cook, Robinson, Blakeley, 564
Mansley, and Mitchell to East Liverpool, being a part of the City 565
of East Liverpool, Columbiana County, State of Ohio. 566

Said Replat being recorded in Plat Book 21, page 076 in the 567
Columbiana County Recorder's record of Plats. 568

Said lot being more accurately described as follows: 569

Situated in the City of East Liverpool, County of Columbiana, 570
and State of Ohio: 571

Known as and being part of lots #278 & 307 and all lots #273, 572
274, 275, 276, 277, 308, 309, 310, 311, 312 of the Cook, Robinson, 573
Blakely, Mansley & Mitchell Addition to the City of East 574
Liverpool, as said addition is recorded in Deed Book 24, Page 430 575
at the Columbiana County Recorder's Office and also those portions 576
of the vacated Grove and High Alley's adjacent to said lots and 577
more fully described as follows: 578

BEGINNING at the northwesterly corner of said lot #273 at the 579

intersection of the easterly right-of-way of Walnut Street and the 580
southerly right-of-way of East Fourth Street; 581

Thence North 76 degrees 24 minutes 14 seconds East, along 582
said southerly right-of-way, a distance of 234.97 feet to the 583
northeasterly corner of said lot #312 and the westerly 584
right-of-way of College Street; 585

Thence South 13 degrees 41 minutes 46 seconds East, along 586
said westerly right-of-way, a distance of 188.46 feet to an iron 587
pin set on the easterly boundary of said lot #307; 588

Thence South 76 degrees 24 minutes 14 seconds West, through 589
the lands of the grantor, a distance of 124.30 feet to an iron pin 590
set in the vacated Grove Alley; 591

Thence South 13 degrees 41 minutes 46 seconds East, 592
continuing through the lands of the grantor, a distance of 9.70 593
feet to an iron pin set in the vacated Grove Alley; 594

Thence South 76 degrees 24 minutes 14 seconds West a distance 595
of 110.67 feet to an iron pin set on the westerly boundary of said 596
lot #278 and the aforesaid easterly right-of-way of Walnut Street; 597

Thence North 13 degrees 41 minutes 46 seconds West, along 598
said easterly right-of-way, a distance of 198.16 feet to the place 599
of beginning; 600

Containing in area 1.041 acres more or less, but subject to 601
all legal highways and right-of-ways. 602

Description prepared and based on a survey by Dallis Dawson & 603
Associates, dated November 14, 2003, Drawing No. L-28-2003. 604

Prior deed references: O.R.V. 847/Page 751 & D.V. 1433/Page 605
46. 606

Note: All iron pins set are 5/8" diameter by 30" length steel 607
rebar w/cap marked P.S. #7787. 608

(B) Consideration for the conveyance of the real estate 609
described in division (A) of this section is the conveyance from 610
the East Liverpool Young Men's Christian Association to the state 611
and its successors and assigns of the following described real 612
estate or other similar real estate acceptable to Kent State 613
University: 614

Situated in the City of East Liverpool, County of Columbiana 615
and State of Ohio, and known as being permanent parcel numbers 616
37-08568, 37-05101, 37-02435, 37-09497, and 37-06065.000. 617

(C) Kent State University and the East Liverpool Area Young 618
Men's Christian Association shall pay the costs of the conveyances 619
described in divisions (A) and (B) of this section. 620

(D) The real estate described or referred to in division (B) 621
of this section that is conveyed to the state shall be for the use 622
and benefit of Kent State University. 623

(E) Upon the conveyance to the state of the real estate 624
described or referred to in division (B) of this section, the 625
Auditor of State, with the assistance of the Attorney General, 626
shall prepare a deed to the real estate described in division (A) 627
of this section. The deed shall state the consideration. The deed 628
shall be executed by the Governor in the name of the state, 629
countersigned by the Secretary of State, sealed with the Great 630
Seal of the State, presented in the Office of the Auditor of State 631
for recording, and delivered to the East Liverpool Young Men's 632
Christian Association. The East Liverpool Young Men's Christian 633
Association shall present the deed for recording in the Office of 634
the Columbiana County Recorder. 635

(F) This section shall expire one year after its effective 636
date. 637

Section 4. (A) The Governor is hereby authorized to execute a 638
deed in the name of the state conveying to the purchaser, and the 639

purchaser's heirs and assigns or successors and assigns, all of 640
the state's right, title, and interest in the following described 641
real estate: 642

Inlots numbers 4560, 4561, and 4562 in University Heights, an 643
addition to the City of Bowling Green, Wood County, Ohio. 644

(B) The consideration for the real estate described in 645
division (A) of this section shall be a purchase price acceptable 646
to the Board of Trustees of Bowling Green State University 647
following a survey by a licensed surveyor, if necessary, and an 648
appraisal by one or more disinterested persons. 649

(C) Upon payment of the purchase price by the purchaser, the 650
Auditor of State, with the assistance of the Attorney General, 651
shall prepare a deed to the real estate described in division (A) 652
of this section. The deed shall state the consideration. The deed 653
shall be executed by the Governor in the name of the state, 654
countersigned by the Secretary of State, sealed with the Great 655
Seal of the State, presented in the office of the Auditor of State 656
for recording, and delivered to the purchaser. The purchaser shall 657
present the deed for recording in the office of the Wood County 658
Recorder. 659

(D) Advertising costs, appraisal fees, and all other costs of 660
the sale of the real estate described in division (A) of this 661
section shall be paid by the Board of Trustees of Bowling Green 662
State University unless otherwise specified in the contract of 663
sale. 664

(E) The net proceeds of the sale of the real estate described 665
in division (A) of this section shall be paid to Bowling Green 666
State University and deposited in University accounts for purposes 667
to be determined by the Board of Trustees of Bowling Green State 668
University. 669

(F) This section shall expire five years after its effective 670

date.

671