

**As Introduced**

**125th General Assembly  
Regular Session  
2003-2004**

**H. B. No. 362**

**Representative Hoops**

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**A BILL**

To amend sections 3318.05, 3318.052, 3318.08, 1  
3318.44, and 5705.21 of the Revised Code to change 2  
the statutory designation of school district 3  
permanent improvement levies that may be levied 4  
continuously. 5

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

**Section 1.** That sections 3318.05, 3318.052, 3318.08, 3318.44, 6  
and 5705.21 of the Revised Code be amended to read as follows: 7

**Sec. 3318.05.** The conditional approval of the Ohio school 8  
facilities commission for a project shall lapse and the amount 9  
reserved and encumbered for such project shall be released unless 10  
the school district board accepts such conditional approval within 11  
one hundred twenty days following the date of certification of the 12  
conditional approval to the school district board and the electors 13  
of the school district vote favorably on both of the propositions 14  
described in divisions (A) and (B) of this section within one year 15  
of the date of such certification, except that a school district 16  
described in division (C) of this section does not need to submit 17  
the proposition described in division (B) of this section. The 18  
propositions described in divisions (A) and (B) of this section 19  
shall be combined in a single proposal. If the district board or 20

the district's electors fail to meet such requirements and the 21  
amount reserved and encumbered for the district's project is 22  
released, the district shall be given first priority for project 23  
funding as such funds become available. 24

(A) On the question of issuing bonds of the school district 25  
board, for the school district's portion of the basic project 26  
cost, in an amount equal to the school district's portion of the 27  
basic project cost less the amount of the proceeds of any 28  
securities authorized or to be authorized under division (J) of 29  
section 133.06 of the Revised Code and dedicated by the school 30  
district board to payment of the district's portion of the basic 31  
project cost; and 32

(B) On the question of levying a tax the proceeds of which 33  
shall be used to pay the cost of maintaining the classroom 34  
facilities included in the project. Such tax shall be at the rate 35  
of not less than one-half mill for each dollar of valuation for a 36  
period of twenty-three years, subject to any extension approved 37  
under section 3318.061 of the Revised Code. 38

(C) If a school district has in place a tax levied under 39  
section 5705.21 of the Revised Code for ~~general ongoing~~ permanent 40  
improvements and the proceeds of such tax can be used for 41  
maintenance, the school district need not levy the additional tax 42  
required under division (B) of this section, provided the school 43  
district board includes in the agreement entered into under 44  
section 3318.08 of the Revised Code provisions earmarking an 45  
amount from the proceeds of that permanent improvement tax for 46  
maintenance of classroom facilities equivalent to the amount of 47  
the additional tax and for the equivalent number of years 48  
otherwise required under this section. 49

(D) Proceeds of the tax to be used for maintenance of the 50  
classroom facilities under either division (B) or (C) of this 51

section shall be deposited into a separate fund established by the 52  
school district for such purpose. 53

**Sec. 3318.052.** At any time after the electors of a school 54  
district have approved either or both a property tax levied under 55  
section 5705.21 or 5705.218 of the Revised Code for the purpose of 56  
~~general-ongoing~~ permanent improvements or a school district income 57  
tax levied under Chapter 5748. of the Revised Code, the proceeds 58  
of which, pursuant to the ballot measures approved by the 59  
electors, are not so restricted that they cannot be used to pay 60  
the costs of a project or maintaining classroom facilities, the 61  
school district board may: 62

(A) Within one year following the date of the certification 63  
of the conditional approval of the school district's classroom 64  
facilities project by the Ohio school facilities commission, enter 65  
into a written agreement with the commission, which may be part of 66  
an agreement entered into under section 3318.08 of the Revised 67  
Code, and in which the school district board covenants and agrees 68  
to do one or both of the following: 69

(1) Apply a specified amount of available proceeds of that 70  
property tax levy, of that school district income tax, or of 71  
securities issued under this section, or of proceeds from any two 72  
or more of those sources, to pay all or part of the district's 73  
portion of the basic project cost of its classroom facilities 74  
project; 75

(2) Apply available proceeds of either or both a property tax 76  
levied under section 5705.21 or 5705.218 of the Revised Code in 77  
effect for a continuing period of time, or of a school district 78  
income tax levied under Chapter 5748. of the Revised Code in 79  
effect for a continuing period of time to the payment of costs of 80  
maintaining the classroom facilities. 81

(B) Receive, as a credit against the amount of bonds required 82

under sections 3318.05 and 3318.06 of the Revised Code, to be 83  
approved by the electors of the district and issued by the 84  
district board for the district's portion of the basic project 85  
cost of its classroom facilities project in order for the district 86  
to receive state assistance for the project, an amount equal to 87  
the specified amount that the district board covenants and agrees 88  
with the commission to apply as set forth in division (A)(1) of 89  
this section; 90

(C) Receive, as a credit against the amount of the tax levy 91  
required under sections 3318.05 and 3318.06 of the Revised Code, 92  
to be approved by the electors of the district to pay the costs of 93  
maintaining the classroom facilities in order to receive state 94  
assistance for the classroom facilities project, an amount 95  
equivalent to the specified amount of proceeds the school district 96  
board covenants and agrees with the commission to apply as 97  
referred to in division (A)(2) of this section; 98

(D) Apply proceeds of either or both a school district income 99  
tax levied under Chapter 5748. of the Revised Code that may 100  
lawfully be used to pay the costs of a classroom facilities 101  
project or of a tax levied under section 5705.21 or 5705.218 of 102  
the Revised Code to the payment of debt charges on and financing 103  
costs related to securities issued under this section; 104

(E) Issue securities to provide moneys to pay all or part of 105  
the district's portion of the basic project cost of its classroom 106  
facilities project in accordance with an agreement entered into 107  
under division (A) of this section. Securities issued under this 108  
section shall be Chapter 133. securities and may be issued as 109  
general obligation securities or issued in anticipation of a 110  
school district income tax or as property tax anticipation notes 111  
under section 133.24 of the Revised Code. The district board's 112  
resolution authorizing the issuance and sale of general obligation 113  
securities under this section shall conform to the applicable 114

requirements of section 133.22 or 133.23 of the Revised Code. 115  
Securities issued under this section shall have principal payments 116  
during each year after the year of issuance over a period of not 117  
more than twenty-three years and, if so determined by the district 118  
board, during the year of issuance. Securities issued under this 119  
section shall not be included in the calculation of net 120  
indebtedness of the district under section 133.06 of the Revised 121  
Code, if the resolution of the district board authorizing their 122  
issuance and sale includes covenants to appropriate annually from 123  
lawfully available proceeds of a property tax levied under section 124  
5705.21 or 5705.218 of the Revised Code or of a school district 125  
income tax levied under Chapter 5748. of the Revised Code and to 126  
continue to levy and collect the tax in amounts necessary to pay 127  
the debt charges on and financing costs related to the securities 128  
as they become due. No property tax levied under section 5705.21 129  
or 5705.218 of the Revised Code and no school district income tax 130  
levied under Chapter 5748. of the Revised Code that is pledged, or 131  
that the school district board has covenanted to levy, collect, 132  
and appropriate annually, to pay the debt charges on and financing 133  
costs related to securities issued under this section shall be 134  
repealed while those securities are outstanding. If such a tax is 135  
reduced by the electors of the district or by the district board 136  
while those securities are outstanding, the school district board 137  
shall continue to levy and collect the tax under the authority of 138  
the original election authorizing the tax at a rate in each year 139  
that the board reasonably estimates will produce an amount in that 140  
year equal to the debt charges on the securities in that year, 141  
except that in the case of a school district income tax that 142  
amount shall be rounded up to the nearest one-fourth of one per 143  
cent. 144

No state moneys shall be released for a project to which this 145  
section applies until the proceeds of the tax securities issued 146  
under this section that are dedicated for the payment of the 147

district portion of the basic project cost of its classroom 148  
facilities project are first deposited into the district's project 149  
construction fund. 150

**Sec. 3318.08.** Except in the case of a joint vocational school 151  
district that receives assistance under sections 3318.40 to 152  
3318.45 of the Revised Code, if the requisite favorable vote on 153  
the election is obtained, or if the school district board has 154  
resolved to apply the proceeds of a property tax levy or the 155  
proceeds of an income tax, or a combination of proceeds from such 156  
taxes, as authorized in section 3318.052 of the Revised Code, the 157  
Ohio school facilities commission, upon certification to it of 158  
either the results of the election or the resolution under section 159  
3318.052 of the Revised Code, shall enter into a written agreement 160  
with the school district board for the construction and sale of 161  
the project. In the case of a joint vocational school district 162  
that receives assistance under sections 3318.40 to 3318.45 of the 163  
Revised Code, if the school district board of education and the 164  
school district electors have satisfied the conditions prescribed 165  
in division (D)(1) of section 3318.41 of the Revised Code, the 166  
commission shall enter into an agreement with the school district 167  
board for the construction and sale of the project. In either 168  
case, the agreement shall include, but need not be limited to, the 169  
following provisions: 170

(A) The sale and issuance of bonds or notes in anticipation 171  
thereof, as soon as practicable after the execution of the 172  
agreement, in an amount equal to the school district's portion of 173  
the basic project cost, including any securities authorized under 174  
division (J) of section 133.06 of the Revised Code and dedicated 175  
by the school district board to payment of the district's portion 176  
of the basic project cost of the project; provided, that if at 177  
that time the county treasurer of each county in which the school 178  
district is located has not commenced the collection of taxes on 179

the general duplicate of real and public utility property for the 180  
year in which the controlling board approved the project, the 181  
school district board shall authorize the issuance of a first 182  
installment of bond anticipation notes in an amount specified by 183  
the agreement, which amount shall not exceed an amount necessary 184  
to raise the net bonded indebtedness of the school district as of 185  
the date of the controlling board's approval to within five 186  
thousand dollars of the required level of indebtedness for the 187  
preceding year. In the event that a first installment of bond 188  
anticipation notes is issued, the school district board shall, as 189  
soon as practicable after the county treasurer of each county in 190  
which the school district is located has commenced the collection 191  
of taxes on the general duplicate of real and public utility 192  
property for the year in which the controlling board approved the 193  
project, authorize the issuance of a second and final installment 194  
of bond anticipation notes or a first and final issue of bonds. 195

The combined value of the first and second installment of 196  
bond anticipation notes or the value of the first and final issue 197  
of bonds shall be equal to the school district's portion of the 198  
basic project cost. The proceeds of any such bonds shall be used 199  
first to retire any bond anticipation notes. Otherwise, the 200  
proceeds of such bonds and of any bond anticipation notes, except 201  
the premium and accrued interest thereon, shall be deposited in 202  
the school district's project construction fund. In determining 203  
the amount of net bonded indebtedness for the purpose of fixing 204  
the amount of an issue of either bonds or bond anticipation notes, 205  
gross indebtedness shall be reduced by moneys in the bond 206  
retirement fund only to the extent of the moneys therein on the 207  
first day of the year preceding the year in which the controlling 208  
board approved the project. Should there be a decrease in the tax 209  
valuation of the school district so that the amount of 210  
indebtedness that can be incurred on the tax duplicates for the 211  
year in which the controlling board approved the project is less 212

than the amount of the first installment of bond anticipation 213  
notes, there shall be paid from the school district's project 214  
construction fund to the school district's bond retirement fund to 215  
be applied against such notes an amount sufficient to cause the 216  
net bonded indebtedness of the school district, as of the first 217  
day of the year following the year in which the controlling board 218  
approved the project, to be within five thousand dollars of the 219  
required level of indebtedness for the year in which the 220  
controlling board approved the project. The maximum amount of 221  
indebtedness to be incurred by any school district board as its 222  
share of the cost of the project is either an amount that will 223  
cause its net bonded indebtedness, as of the first day of the year 224  
following the year in which the controlling board approved the 225  
project, to be within five thousand dollars of the required level 226  
of indebtedness, or an amount equal to the required percentage of 227  
the basic project costs, whichever is greater. All bonds and bond 228  
anticipation notes shall be issued in accordance with Chapter 133. 229  
of the Revised Code, and notes may be renewed as provided in 230  
section 133.22 of the Revised Code. 231

(B) The transfer of such funds of the school district board 232  
available for the project, together with the proceeds of the sale 233  
of the bonds or notes, except premium, accrued interest, and 234  
interest included in the amount of the issue, to the school 235  
district's project construction fund; 236

(C) For all school districts except joint vocational school 237  
districts that receive assistance under sections 3318.40 to 238  
3318.45 of the Revised Code, the following provisions as 239  
applicable: 240

(1) If section 3318.052 of the Revised Code applies, the 241  
earmarking of the proceeds of a tax levied under section 5705.21 242  
of the Revised Code for ~~general-ongoing~~ permanent improvements or 243  
under section 5705.218 of the Revised Code for the purpose of 244

permanent improvements, or the proceeds of a school district 245  
income tax levied under Chapter 5748. of the Revised Code, or the 246  
proceeds from a combination of those two taxes, in an amount to 247  
pay all or part of the service charges on bonds issued to pay the 248  
school district portion of the project and an amount equivalent to 249  
all or part of the tax required under division (B) of section 250  
3318.05 of the Revised Code; 251

(2) If section 3318.052 of the Revised Code does not apply, 252  
either of the following: 253

(a) The levy of the tax authorized at the election for the 254  
payment of maintenance costs, as specified in division (B) of 255  
section 3318.05 of the Revised Code; 256

(b) If the school district electors have approved a 257  
continuing tax for ~~general ongoing~~ permanent improvements under 258  
section 5705.21 of the Revised Code and that tax can be used for 259  
maintenance, the earmarking of an amount of the proceeds from such 260  
tax for maintenance of classroom facilities as specified in 261  
division (B) of section 3318.05 of the Revised Code. 262

(D) For joint vocational school districts that receive 263  
assistance under sections 3318.40 to 3318.45 of the Revised Code, 264  
provision for deposit of school district moneys dedicated to 265  
maintenance of the classroom facilities acquired under those 266  
sections as prescribed in section 3318.43 of the Revised Code; 267

(E) Dedication of any local donated contribution as provided 268  
for under section 3318.084 of the Revised Code, including a 269  
schedule for depositing such moneys applied as an offset of the 270  
district's obligation to levy the tax described in division (B) of 271  
section 3318.05 of the Revised Code as required under division 272  
(D)(2) of section 3318.084 of the Revised Code; 273

(F) Ownership of or interest in the project during the period 274  
of construction, which shall be divided between the commission and 275

the school district board in proportion to their respective	276
contributions to the school district's project construction fund;	277
(G) Maintenance of the state's interest in the project until	278
any obligations issued for the project under section 3318.26 of	279
the Revised Code are no longer outstanding;	280
(H) The insurance of the project by the school district from	281
the time there is an insurable interest therein and so long as the	282
state retains any ownership or interest in the project pursuant to	283
division (F) of this section, in such amounts and against such	284
risks as the commission shall require; provided, that the cost of	285
any required insurance until the project is completed shall be a	286
part of the basic project cost;	287
(I) The certification by the director of budget and	288
management that funds are available and have been set aside to	289
meet the state's share of the basic project cost as approved by	290
the controlling board pursuant to either section 3318.04 or	291
division (B)(1) of section 3318.41 of the Revised Code;	292
(J) Authorization of the school district board to advertise	293
for and receive construction bids for the project, for and on	294
behalf of the commission, and to award contracts in the name of	295
the state subject to approval by the commission;	296
(K) Provisions for the disbursement of moneys from the school	297
district's project account upon issuance by the commission or the	298
commission's designated representative of vouchers for work done	299
to be certified to the commission by the treasurer of the school	300
district board;	301
(L) Disposal of any balance left in the school district's	302
project construction fund upon completion of the project;	303
(M) Limitations upon use of the project or any part of it so	304
long as any obligations issued to finance the project under	305
section 3318.26 of the Revised Code are outstanding;	306

(N) Provision for vesting the state's interest in the project 307  
to the school district board when the obligations issued to 308  
finance the project under section 3318.26 of the Revised Code are 309  
outstanding; 310

(O) Provision for deposit of an executed copy of the 311  
agreement in the office of the commission; 312

(P) Provision for termination of the contract and release of 313  
the funds encumbered at the time of the conditional approval, if 314  
the proceeds of the sale of the bonds of the school district board 315  
are not paid into the school district's project construction fund 316  
and if bids for the construction of the project have not been 317  
taken within such period after the execution of the agreement as 318  
may be fixed by the commission; 319

(Q) Provision for the school district to maintain the project 320  
in accordance with a plan approved by the commission; 321

(R)(1) For all school districts except a district undertaking 322  
a project under section 3318.38 of the Revised Code or a joint 323  
vocational school district undertaking a project under sections 324  
3318.40 to 3318.45 of the Revised Code, provision that all state 325  
funds reserved and encumbered to pay the state share of the cost 326  
of the project pursuant to section 3318.03 of the Revised Code be 327  
spent on the construction or acquisition of the project prior to 328  
the expenditure of any funds provided by the school district to 329  
pay for its share of the project cost, unless the school district 330  
certifies to the commission that expenditure by the school 331  
district is necessary to maintain the tax-exempt status of notes 332  
or bonds issued by the school district to pay for its share of the 333  
project cost or to comply with applicable temporary investment 334  
periods or spending exceptions to rebate as provided for under 335  
federal law in regard to those notes or bonds, in which cases, the 336  
school district may commit to spend, or spend, a portion of the 337

funds it provides; 338

(2) For a school district undertaking a project under section 339  
3318.38 of the Revised Code or a joint vocational school district 340  
undertaking a project under sections 3318.40 to 3318.45 of the 341  
Revised Code, provision that the state funds reserved and 342  
encumbered and the funds provided by the school district to pay 343  
the basic project cost of any segment of the project, or of the 344  
entire project if it is not divided into segments, be spent on the 345  
construction and acquisition of the project simultaneously in 346  
proportion to the state's and the school district's respective 347  
shares of that basic project cost as determined under section 348  
3318.032 of the Revised Code or, if the district is a joint 349  
vocational school district, under section 3318.42 of the Revised 350  
Code. 351

(S) A provision stipulating that the commission may prohibit 352  
the district from proceeding with any project if the commission 353  
determines that the site is not suitable for construction 354  
purposes. The commission may perform soil tests in its 355  
determination of whether a site is appropriate for construction 356  
purposes. 357

(T) A provision stipulating that, unless otherwise authorized 358  
by the commission, any contingency reserve portion of the 359  
construction budget prescribed by the commission shall be used 360  
only to pay costs resulting from unforeseen job conditions, to 361  
comply with rulings regarding building and other codes, to pay 362  
costs related to design clarifications or corrections to contract 363  
documents, and to pay the costs of settlements or judgments 364  
related to the project as provided under section 3318.086 of the 365  
Revised Code; 366

(U) Provision stipulating that for continued release of 367  
project funds the school district board shall comply with section 368  
3313.41 of the Revised Code throughout the project and shall 369

notify the department of education and the Ohio community school 370  
association when the board plans to dispose of facilities by sale 371  
under that section; 372

(V) Provision that the commission shall not approve a 373  
contract for demolition of a facility until the school district 374  
board has complied with section 3313.41 of the Revised Code 375  
relative to that facility, unless demolition of that facility is 376  
to clear a site for construction of a replacement facility 377  
included in the district's project. 378

**Sec. 3318.44.** (A) A joint vocational school district board of 379  
education may generate the school district's portion of the basic 380  
project cost of its project under sections 3318.40 to 3318.45 of 381  
the Revised Code using any combination of the following means if 382  
lawfully employed for the acquisition of classroom facilities: 383

(1) The issuance of securities in accordance with Chapter 384  
133. and section 3311.20 of the Revised Code; 385

(2) Local donated contributions as authorized under section 386  
3318.084 of the Revised Code; 387

(3) A levy for permanent improvements under section 3311.21 388  
or 5705.21 of the Revised Code; 389

(4) Bonds issued pursuant to division (B) of this section. 390

(B) By resolution adopted by a majority of all its members, a 391  
school district board in order to pay all or part of the school 392  
district's portion of its basic project cost may apply the 393  
proceeds of a tax levied under section 5705.21 of the Revised Code 394  
to ~~general ongoing~~ permanent improvements if the proceeds of that 395  
levy lawfully may be used for general construction, renovation, 396  
repair, or maintenance of classroom facilities to leverage bonds 397  
adequate to pay all or part of the school district portion of the 398  
basic project cost of the school district's project under sections 399

3318.40 to 3318.45 of the Revised Code or to generate an amount 400  
equivalent to all or part of the amount required under section 401  
3318.43 of the Revised Code to be used for maintenance of 402  
classroom facilities acquired under the project. Bonds issued 403  
under this division shall be Chapter 133. securities, but the 404  
issuance of the bonds shall not be subject to a vote of the 405  
electors of the school district as long as the tax proceeds 406  
earmarked for payment of the service charges on the bonds may 407  
lawfully be used for that purpose. 408

No state moneys shall be released for a project to which this 409  
division applies until the proceeds of any bonds issued under this 410  
division that are dedicated for payment of the school district's 411  
portion of the basic project cost are first deposited into the 412  
school district's project construction fund. 413

(C) A school district board of education may adopt a 414  
resolution proposing that any of the following questions be 415  
combined with a question specified in section 3318.45 of the 416  
Revised Code: 417

(1) A bond issue question under section 133.18 of the Revised 418  
Code; 419

(2) A tax levy question under section 3311.21 of the Revised 420  
Code; 421

(3) A tax levy question under section 5705.21 of the Revised 422  
Code. 423

Any question described in divisions (C)(1) to (3) of this 424  
section that is combined with a question proposed under section 425  
3318.45 of the Revised Code shall be for the purpose of either 426  
paying for any permanent improvement, as defined in section 133.01 427  
of the Revised Code, or generating operating revenue specifically 428  
for the facilities acquired under the school district's project 429  
under Chapter 3318. of the Revised Code or for both to the extent 430

such purposes are permitted by the sections of law under which 431  
each is proposed. 432

(D) The board of education of a joint vocational school 433  
district that receives assistance under this section may enter 434  
into an agreement for joint issuance of bonds as provided for in 435  
section 3318.085 of the Revised Code. 436

**Sec. 5705.21.** (A) At any time the board of education of any 437  
city, local, exempted village, cooperative education, or joint 438  
vocational school district by a vote of two-thirds of all its 439  
members may declare by resolution that the amount of taxes which 440  
may be raised within the ten-mill limitation by levies on the 441  
current tax duplicate will be insufficient to provide an adequate 442  
amount for the necessary requirements of the school district, that 443  
it is necessary to levy a tax in excess of such limitation for one 444  
of the purposes specified in division (A), (D), (F), (H), or (DD) 445  
of section 5705.19 of the Revised Code, for ~~general, on-going~~ 446  
permanent improvements, for the purpose of operating a cultural 447  
center, or for the purpose of providing education technology, and 448  
that the question of such additional tax levy shall be submitted 449  
to the electors of the school district at a special election on a 450  
day to be specified in the resolution. 451

As used in this section, "cultural center" means a 452  
freestanding building, separate from a public school building, 453  
that is open to the public for educational, musical, artistic, and 454  
cultural purposes. 455

As used in this section, "education technology" means, but is 456  
not limited to, computer hardware, equipment, materials, and 457  
accessories, equipment used for two-way audio or video, and 458  
software. 459

The submission of questions to the electors under this 460  
section is subject to the limitation on the number of election 461

dates established by section 5705.214 of the Revised Code. 462

(B) Such resolution shall be confined to a single purpose and 463  
shall specify the amount of the increase in rate that it is 464  
necessary to levy, the purpose of the levy, and the number of 465  
years during which the increase in rate shall be in effect. The 466  
number of years may be any number not exceeding five or, if the 467  
levy is for current expenses of the district or for ~~general,~~ 468  
~~en-going~~ permanent improvements, for a continuing period of time. 469  
The resolution shall specify the date of holding such election, 470  
which shall not be earlier than seventy-five days after the 471  
adoption and certification of the resolution and which shall be 472  
consistent with the requirements of section 3501.01 of the Revised 473  
Code. The resolution may propose to renew one or more existing 474  
levies imposed under this section or to increase or decrease a 475  
single levy imposed under this section. 476

If the resolution proposes to renew two or more existing 477  
levies, the levies shall be levied for the same purpose. The 478  
resolution shall identify those levies and the rates at which they 479  
are levied. The resolution also shall specify that the existing 480  
levies shall not be extended on the tax lists after the year 481  
preceding the year in which the renewal levy is first imposed, 482  
regardless of the years for which those levies originally were 483  
authorized to be levied. 484

The resolution shall go into immediate effect upon its 485  
passage, and no publication of the resolution shall be necessary 486  
other than that provided for in the notice of election. A copy of 487  
the resolution shall immediately after its passing be certified to 488  
the board of elections of the proper county in the manner provided 489  
by section 5705.25 of the Revised Code, and that section shall 490  
govern the arrangements for the submission of such question and 491  
other matters concerning such election, to which that section 492  
refers, except that such election shall be held on the date 493

specified in the resolution. Publication of notice of such 494  
election shall be made in one or more newspapers of general 495  
circulation in the county once a week for four consecutive weeks. 496  
If a majority of the electors voting on the question so submitted 497  
in an election vote in favor of the levy, the board of education 498  
may make the necessary levy within the school district at the 499  
additional rate, or at any lesser rate in excess of the ten-mill 500  
limitation on the tax list, for the purpose stated in the 501  
resolution. A levy for a continuing period of time may be reduced 502  
pursuant to section 5705.261 of the Revised Code. The tax levy 503  
shall be included in the next tax budget that is certified to the 504  
county budget commission. 505

(C)(1) After the approval of a levy on the current tax list 506  
and duplicate for current expenses, for recreational purposes, for 507  
community centers provided for in section 755.16 of the Revised 508  
Code, or for a public library of the district and prior to the 509  
time when the first tax collection from the levy can be made, the 510  
board of education may anticipate a fraction of the proceeds of 511  
the levy and issue anticipation notes in a principal amount not 512  
exceeding fifty per cent of the total estimated proceeds of the 513  
levy to be collected during the first year of the levy. 514

(2) After the approval of a levy for permanent improvements 515  
having the purpose specified in division (F) of section 5705.19 of 516  
the Revised Code, the board of education may anticipate a fraction 517  
of the proceeds of the levy and issue anticipation notes in a 518  
principal amount not exceeding fifty per cent of the total 519  
estimated proceeds of the levy remaining to be collected in each 520  
year over a period of five years after the issuance of the notes. 521

The notes shall be issued as provided in section 133.24 of 522  
the Revised Code, shall have principal payments during each year 523  
after the year of their issuance over a period not to exceed five 524  
years, and may have a principal payment in the year of their 525

issuance. 526

(3) After approval of a levy for ~~general, on-going~~ permanent 527  
improvements for a continuing period of time, the board of 528  
education may anticipate a fraction of the proceeds of the levy 529  
and issue anticipation notes in a principal amount not exceeding 530  
fifty per cent of the total estimated proceeds of the levy to be 531  
collected in each year over a specified period of years, not 532  
exceeding ten, after the issuance of the notes. 533

The notes shall be issued as provided in section 133.24 of 534  
the Revised Code, shall have principal payments during each year 535  
after the year of their issuance over a period not to exceed ten 536  
years, and may have a principal payment in the year of their 537  
issuance. 538

**Section 2.** That existing sections 3318.05, 3318.052, 3318.08, 539  
3318.44, and 5705.21 of the Revised Code are hereby repealed. 540