

As Introduced

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

H. B. No. 427

Representative Martin

A BILL

To amend sections 5709.62, 5709.63, and 5709.631 of 1
the Revised Code and to amend Sections 38 and 2
38.20 of Am. Sub. H.B. 95 of the 125th General 3
Assembly to increase from 10 to 15 the number of 4
years enterprise zones or urban jobs and 5
enterprise zone agreements may exempt property 6
from taxation, subject to school board approval; 7
to create the Job Development Initiatives Fund and 8
transfer up to \$25.8 million of unclaimed funds to 9
it; and to make appropriations. 10

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

Section 1. That sections 5709.62, 5709.63, and 5709.631 of 11
the Revised Code be amended to read as follows: 12

Sec. 5709.62. (A) In any municipal corporation that is 13
defined by the United States office of management and budget as a 14
central city of a metropolitan statistical area, or in a city 15
designated as an urban cluster in a rural statistical area, the 16
legislative authority of the municipal corporation may designate 17
one or more areas within its municipal corporation as proposed 18
enterprise zones. Upon designating an area, the legislative 19
authority shall petition the director of development for 20

certification of the area as having the characteristics set forth 21
in division (A)(1) of section 5709.61 of the Revised Code as 22
amended by Substitute Senate Bill No. 19 of the 120th general 23
assembly. Except as otherwise provided in division (E) of this 24
section, on and after July 1, 1994, legislative authorities shall 25
not enter into agreements under this section unless the 26
legislative authority has petitioned the director and the director 27
has certified the zone under this section as amended by that act; 28
however, all agreements entered into under this section as it 29
existed prior to July 1, 1994, and the incentives granted under 30
those agreements shall remain in effect for the period agreed to 31
under those agreements. Within sixty days after receiving such a 32
petition, the director shall determine whether the area has the 33
characteristics set forth in division (A)(1) of section 5709.61 of 34
the Revised Code, and shall forward the findings to the 35
legislative authority of the municipal corporation. If the 36
director certifies the area as having those characteristics, and 37
thereby certifies it as a zone, the legislative authority may 38
enter into an agreement with an enterprise under division (C) of 39
this section. 40

(B) Any enterprise that wishes to enter into an agreement 41
with a municipal corporation under division (C) of this section 42
shall submit a proposal to the legislative authority of the 43
municipal corporation on a form prescribed by the director of 44
development, together with the application fee established under 45
section 5709.68 of the Revised Code. The form shall require the 46
following information: 47

(1) An estimate of the number of new employees whom the 48
enterprise intends to hire, or of the number of employees whom the 49
enterprise intends to retain, within the zone at a facility that 50
is a project site, and an estimate of the amount of payroll of the 51
enterprise attributable to these employees; 52

(2) An estimate of the amount to be invested by the 53
enterprise to establish, expand, renovate, or occupy a facility, 54
including investment in new buildings, additions or improvements 55
to existing buildings, machinery, equipment, furniture, fixtures, 56
and inventory; 57

(3) A listing of the enterprise's current investment, if any, 58
in a facility as of the date of the proposal's submission. 59

The enterprise shall review and update the listings required 60
under this division to reflect material changes, and any agreement 61
entered into under division (C) of this section shall set forth 62
final estimates and listings as of the time the agreement is 63
entered into. The legislative authority may, on a separate form 64
and at any time, require any additional information necessary to 65
determine whether an enterprise is in compliance with an agreement 66
and to collect the information required to be reported under 67
section 5709.68 of the Revised Code. 68

(C) Upon receipt and investigation of a proposal under 69
division (B) of this section, if the legislative authority finds 70
that the enterprise submitting the proposal is qualified by 71
financial responsibility and business experience to create and 72
preserve employment opportunities in the zone and improve the 73
economic climate of the municipal corporation, the legislative 74
authority, on or before October 15, 2009, may do one of the 75
following: 76

(1) Enter into an agreement with the enterprise under which 77
the enterprise agrees to establish, expand, renovate, or occupy a 78
facility and hire new employees, or preserve employment 79
opportunities for existing employees, in return for one or more of 80
the following incentives: 81

(a) Exemption for a specified number of years, not to exceed 82
~~ten~~ fifteen, of a specified portion, up to seventy-five per cent, 83

of the assessed value of tangible personal property first used in 84
business at the project site as a result of the agreement. If an 85
exemption for inventory is specifically granted in the agreement 86
pursuant to this division, the exemption applies to inventory 87
required to be listed pursuant to sections 5711.15 and 5711.16 of 88
the Revised Code, except that, in the instance of an expansion or 89
other situations in which an enterprise was in business at the 90
facility prior to the establishment of the zone, the inventory 91
that is exempt is that amount or value of inventory in excess of 92
the amount or value of inventory required to be listed in the 93
personal property tax return of the enterprise in the return for 94
the tax year in which the agreement is entered into. 95

(b) Exemption for a specified number of years, not to exceed 96
~~ten~~ fifteen, of a specified portion, up to seventy-five per cent, 97
of the increase in the assessed valuation of real property 98
constituting the project site subsequent to formal approval of the 99
agreement by the legislative authority; 100

(c) Provision for a specified number of years, not to exceed 101
~~ten~~ fifteen, of any optional services or assistance that the 102
municipal corporation is authorized to provide with regard to the 103
project site. 104

(2) Enter into an agreement under which the enterprise agrees 105
to remediate an environmentally contaminated facility, to spend an 106
amount equal to at least two hundred fifty per cent of the true 107
value in money of the real property of the facility prior to 108
remediation as determined for the purposes of property taxation to 109
establish, expand, renovate, or occupy the remediated facility, 110
and to hire new employees or preserve employment opportunities for 111
existing employees at the remediated facility, in return for one 112
or more of the following incentives: 113

(a) Exemption for a specified number of years, not to exceed 114
~~ten~~ fifteen, of a specified portion, not to exceed fifty per cent, 115

of the assessed valuation of the real property of the facility 116
prior to remediation; 117

(b) Exemption for a specified number of years, not to exceed 118
~~ten~~ fifteen, of a specified portion, not to exceed one hundred per 119
cent, of the increase in the assessed valuation of the real 120
property of the facility during or after remediation; 121

(c) The incentive under division (C)(1)(a) of this section, 122
except that the percentage of the assessed value of such property 123
exempted from taxation shall not exceed one hundred per cent; 124

(d) The incentive under division (C)(1)(c) of this section. 125

(3) Enter into an agreement with an enterprise that plans to 126
purchase and operate a large manufacturing facility that has 127
ceased operation or announced its intention to cease operation, in 128
return for exemption for a specified number of years, not to 129
exceed ~~ten~~ fifteen, of a specified portion, up to one hundred per 130
cent, of the assessed value of tangible personal property used in 131
business at the project site as a result of the agreement, or of 132
the assessed valuation of real property constituting the project 133
site, or both. 134

(D)(1) Notwithstanding divisions (C)(1)(a) and (b) of this 135
section, the portion of the assessed value of tangible personal 136
property or of the increase in the assessed valuation of real 137
property exempted from taxation under those divisions may exceed 138
seventy-five per cent in any year for which that portion is 139
exempted if the average percentage exempted for all years in which 140
the agreement is in effect does not exceed sixty per cent, or if 141
the board of education of the city, local, or exempted village 142
school district within the territory of which the property is or 143
will be located approves a percentage in excess of seventy-five 144
per cent. 145

(2) Notwithstanding any provision of the Revised Code to the 146

contrary, the exemptions described in divisions (C)(1)(a), (b),
and (c), (C)(2)(a), (b), and (c), and (C)(3) of this section may
be for up to fifteen years if the board of education of the city,
local, or exempted village school district within the territory ~~in~~
of which the property is or will be located approves a number of
years in excess of ten, ~~but only if the project that is part of~~
~~the agreement includes a fixed asset investment of at least one~~
~~hundred million dollars or the director of development determines~~
~~there are extraordinary circumstances, and only if the project~~
~~involves the enrichment and commercialization of uranium or~~
~~uranium products or the research and development activities~~
~~related to that enrichment or commercialization.~~

(3) For the purpose of obtaining the approval of a city,
local, or exempted village school district under division (D)(1)
or (2) of this section, the legislative authority shall deliver to
the board of education a notice not later than forty-five days
prior to approving the agreement, excluding Saturdays, Sundays,
and legal holidays as defined in section 1.14 of the Revised Code.
The notice shall state the percentage to be exempted, an estimate
of the true value of the property to be exempted, and the number
of years the property is to be exempted. The board of education,
by resolution adopted by a majority of the board, shall approve or
disapprove the agreement and certify a copy of the resolution to
the legislative authority not later than fourteen days prior to
the date stipulated by the legislative authority as the date upon
which approval of the agreement is to be formally considered by
the legislative authority. The board of education may include in
the resolution conditions under which the board would approve the
agreement, including the execution of an agreement to compensate
the school district under division (B) of section 5709.82 of the
Revised Code. The legislative authority may approve the agreement
at any time after the board of education certifies its resolution

approving the agreement to the legislative authority, or, if the board approves the agreement conditionally, at any time after the conditions are agreed to by the board and the legislative authority.

If a board of education has adopted a resolution waiving its right to approve agreements and the resolution remains in effect, approval of an agreement by the board is not required under this division. If a board of education has adopted a resolution allowing a legislative authority to deliver the notice required under this division fewer than forty-five business days prior to the legislative authority's approval of the agreement, the legislative authority shall deliver the notice to the board not later than the number of days prior to such approval as prescribed by the board in its resolution. If a board of education adopts a resolution waiving its right to approve agreements or shortening the notification period, the board shall certify a copy of the resolution to the legislative authority. If the board of education rescinds such a resolution, it shall certify notice of the rescission to the legislative authority.

(4) The legislative authority shall comply with section 5709.83 of the Revised Code unless the board of education has adopted a resolution under that section waiving its right to receive such notice.

(E) This division applies to zones certified by the director of development under this section prior to July 22, 1994.

On or before October 15, 2009, the legislative authority that designated a zone to which this division applies may enter into an agreement with an enterprise if the legislative authority ~~makes~~ finds ~~the finding required under that division and determines~~ that the enterprise satisfies one of the criteria described in divisions (E)(1) to (5) of this section:

(1) The enterprise currently has no operations in this state	210
and, subject to approval of the agreement, intends to establish	211
operations in the zone;	212
(2) The enterprise currently has operations in this state	213
and, subject to approval of the agreement, intends to establish	214
operations at a new location in the zone that would not result in	215
a reduction in the number of employee positions at any of the	216
enterprise's other locations in this state;	217
(3) The enterprise, subject to approval of the agreement,	218
intends to relocate operations, currently located in another	219
state, to the zone;	220
(4) The enterprise, subject to approval of the agreement,	221
intends to expand operations at an existing site in the zone that	222
the enterprise currently operates;	223
(5) The enterprise, subject to approval of the agreement,	224
intends to relocate operations, currently located in this state,	225
to the zone, and the director of development has issued a waiver	226
for the enterprise under division (B) of section 5709.633 of the	227
Revised Code.	228
The agreement shall require the enterprise to agree to	229
establish, expand, renovate, or occupy a facility in the zone and	230
hire new employees, or preserve employment opportunities for	231
existing employees, in return for one or more of the incentives	232
described in division (C) of this section.	233
(F) All agreements entered into under this section shall be	234
in the form prescribed under section 5709.631 of the Revised Code.	235
After an agreement is entered into under this division <u>section</u> , if	236
the legislative authority revokes its designation of a zone, or if	237
the director of development revokes the <u>a</u> zone's certification,	238
any entitlements granted under the agreement shall continue for	239
the number of years specified in the agreement.	240

(G) Except as otherwise provided in this division, an 241
agreement entered into under this section shall require that the 242
enterprise pay an annual fee equal to the greater of one per cent 243
of the dollar value of incentives offered under the agreement or 244
five hundred dollars; provided, however, that if the value of the 245
incentives exceeds two hundred fifty thousand dollars, the fee 246
shall not exceed two thousand five hundred dollars. The fee shall 247
be payable to the legislative authority once per year for each 248
year the agreement is effective on the days and in the form 249
specified in the agreement. Fees paid shall be deposited in a 250
special fund created for such purpose by the legislative authority 251
and shall be used by the legislative authority exclusively for the 252
purpose of complying with section 5709.68 of the Revised Code and 253
by the tax incentive review council created under section 5709.85 254
of the Revised Code exclusively for the purposes of performing the 255
duties prescribed under that section. The legislative authority 256
may waive or reduce the amount of the fee charged against an 257
enterprise, but such a waiver or reduction does not affect the 258
obligations of the legislative authority or the tax incentive 259
review council to comply with section 5709.68 or 5709.85 of the 260
Revised Code. 261

(H) When an agreement is entered into pursuant to this 262
section, the legislative authority authorizing the agreement shall 263
forward a copy of the agreement to the director of development and 264
to the tax commissioner within fifteen days after the agreement is 265
entered into. If any agreement includes terms not provided for in 266
section 5709.631 of the Revised Code affecting the revenue of a 267
city, local, or exempted village school district or causing 268
revenue to be foregone by the district, including any compensation 269
to be paid to the school district pursuant to section 5709.82 of 270
the Revised Code, those terms also shall be forwarded in writing 271
to the director of development along with the copy of the 272

agreement forwarded under this division. 273

(I) After an agreement is entered into, the enterprise shall 274
file with each personal property tax return required to be filed, 275
or annual report required to be filed under section 5727.08 of the 276
Revised Code, while the agreement is in effect, an informational 277
return, on a form prescribed by the tax commissioner for that 278
purpose, setting forth separately the property, and related costs 279
and values, exempted from taxation under the agreement. 280

(J) Enterprises may agree to give preference to residents of 281
the zone within which the agreement applies relative to residents 282
of this state who do not reside in the zone when hiring new 283
employees under the agreement. 284

(K) An agreement entered into under this section may include 285
a provision requiring the enterprise to create one or more 286
temporary internship positions for students enrolled in a course 287
of study at a school or other educational institution in the 288
vicinity, and to create a scholarship or provide another form of 289
educational financial assistance for students holding such a 290
position in exchange for the student's commitment to work for the 291
enterprise at the completion of the internship. 292

(L) The tax commissioner's authority in determining the 293
accuracy of any exemption granted by an agreement entered into 294
under this section is limited to divisions (C)(1)(a) and (b), 295
(C)(2)(a), (b), and (c), (C)(3), (D), and (I) of this section and 296
divisions (B)(1) to (10) of section 5709.631 of the Revised Code 297
and, as authorized by law, to enforcing any modification to, or 298
revocation of, that agreement by the legislative authority of a 299
municipal corporation or the director of development. 300

Sec. 5709.63. (A) With the consent of the legislative 301
authority of each affected municipal corporation or of a board of 302
township trustees, a board of county commissioners may, in the 303

manner set forth in section 5709.62 of the Revised Code, designate 304
one or more areas in one or more municipal corporations or in 305
unincorporated areas of the county as proposed enterprise zones. A 306
board of county commissioners may designate no more than one area 307
within a township, or within adjacent townships, as a proposed 308
enterprise zone. The board shall petition the director of 309
development for certification of the area as having the 310
characteristics set forth in division (A)(1) or (2) of section 311
5709.61 of the Revised Code as amended by Substitute Senate Bill 312
No. 19 of the 120th general assembly. Except as otherwise provided 313
in division (D) of this section, on and after July 1, 1994, boards 314
of county commissioners shall not enter into agreements under this 315
section unless the board has petitioned the director and the 316
director has certified the zone under this section as amended by 317
that act; however, all agreements entered into under this section 318
as it existed prior to July 1, 1994, and the incentives granted 319
under those agreements shall remain in effect for the period 320
agreed to under those agreements. The director shall make the 321
determination in the manner provided under section 5709.62 of the 322
Revised Code. ~~Any~~ 323

Any enterprise wishing to enter into an agreement with the 324
board under division (B) or (D) of this section shall submit a 325
proposal to the board on the form and accompanied by the 326
application fee prescribed under division (B) of section 5709.62 327
of the Revised Code. The enterprise shall review and update the 328
estimates and listings required by the form in the manner required 329
under that division. The board may, on a separate form and at any 330
time, require any additional information necessary to determine 331
whether an enterprise is in compliance with an agreement and to 332
collect the information required to be reported under section 333
5709.68 of the Revised Code. 334

(B) If the board of county commissioners finds that an 335

enterprise submitting a proposal is qualified by financial 336
responsibility and business experience to create and preserve 337
employment opportunities in the zone and to improve the economic 338
climate of the municipal corporation or municipal corporations or 339
the unincorporated areas in which the zone is located and to which 340
the proposal applies, the board, on or before October 15, 2009, 341
and with the consent of the legislative authority of each affected 342
municipal corporation or of the board of township trustees may do 343
either of the following: 344

(1) Enter into an agreement with the enterprise under which 345
the enterprise agrees to establish, expand, renovate, or occupy a 346
facility in the zone and hire new employees, or preserve 347
employment opportunities for existing employees, in return for the 348
following incentives: 349

(a) When the facility is located in a municipal corporation, 350
the board may enter into an agreement for one or more of the 351
incentives provided in division (C) of section 5709.62 of the 352
Revised Code, subject to division (D) of that section; 353

(b) When the facility is located in an unincorporated area, 354
the board may enter into an agreement for one or more of the 355
following incentives: 356

(i) Exemption for a specified number of years, not to exceed 357
~~ten~~ fifteen, of a specified portion, up to sixty per cent, of the 358
assessed value of tangible personal property first used in 359
business at a project site as a result of the agreement. If an 360
exemption for inventory is specifically granted in the agreement 361
pursuant to this division, the exemption applies to inventory 362
required to be listed pursuant to sections 5711.15 and 5711.16 of 363
the Revised Code, except, in the instance of an expansion or other 364
situations in which an enterprise was in business at the facility 365
prior to the establishment of the zone, the inventory that is 366
exempt is that amount or value of inventory in excess of the 367

amount or value of inventory required to be listed in the personal 368
property tax return of the enterprise in the return for the tax 369
year in which the agreement is entered into. 370

(ii) Exemption for a specified number of years, not to exceed 371
~~ten~~ fifteen, of a specified portion, up to sixty per cent, of the 372
increase in the assessed valuation of real property constituting 373
the project site subsequent to formal approval of the agreement by 374
the board; 375

(iii) Provision for a specified number of years, not to 376
exceed ~~ten~~ fifteen, of any optional services or assistance the 377
board is authorized to provide with regard to the project site; 378

(iv) The incentive described in division (C)(2) of section 379
5709.62 of the Revised Code. 380

(2) Enter into an agreement with an enterprise that plans to 381
purchase and operate a large manufacturing facility that has 382
ceased operation or has announced its intention to cease 383
operation, in return for exemption for a specified number of 384
years, not to exceed ~~ten~~ fifteen, of a specified portion, up to 385
one hundred per cent, of tangible personal property used in 386
business at the project site as a result of the agreement, or of 387
real property constituting the project site, or both. 388

(C)(1)(a) Notwithstanding divisions (B)(1)(b)(i) and (ii) of 389
this section, the portion of the assessed value of tangible 390
personal property or of the increase in the assessed valuation of 391
real property exempted from taxation under those divisions may 392
exceed sixty per cent in any year for which that portion is 393
exempted if the average percentage exempted for all years in which 394
the agreement is in effect does not exceed fifty per cent, or if 395
the board of education of the city, local, or exempted village 396
school district within the territory of which the property is or 397
will be located approves a percentage in excess of sixty per cent. 398

(b) Notwithstanding any provision of the Revised Code to the contrary, the exemptions described in divisions (B)(1)(b)(i), (ii), (iii), and (iv) and (B)(2) of this section may be for up to fifteen years if the board of education of the city, local, or exempted village school district within the territory ~~in~~ of which the property is or will be located approves a number of years in excess of ten, ~~but only if the project that is part of the agreement includes a fixed asset investment of at least one hundred million dollars or the director of development determines there are extraordinary circumstances, and only if the project involves the enrichment and commercialization of uranium or uranium products or the research and development activities related to that enrichment or commercialization.~~

(c) For the purpose of obtaining the approval of a city, local, or exempted village school district under division (C)(1)(a) or (b) of this section, the board of county commissioners shall deliver to the board of education a notice not later than forty-five days prior to approving the agreement, excluding Saturdays, Sundays, and legal holidays as defined in section 1.14 of the Revised Code. The notice shall state the percentage to be exempted, an estimate of the true value of the property to be exempted, and the number of years the property is to be exempted. The board of education, by resolution adopted by a majority of the board, shall approve or disapprove the agreement and certify a copy of the resolution to the board of county commissioners not later than fourteen days prior to the date stipulated by the board of county commissioners as the date upon which approval of the agreement is to be formally considered by the board of county commissioners. The board of education may include in the resolution conditions under which the board would approve the agreement, including the execution of an agreement to compensate the school district under division (B) of section

5709.82 of the Revised Code. The board of county commissioners may 431
approve the agreement at any time after the board of education 432
certifies its resolution approving the agreement to the board of 433
county commissioners, or, if the board of education approves the 434
agreement conditionally, at any time after the conditions are 435
agreed to by the board of education and the board of county 436
commissioners. 437

If a board of education has adopted a resolution waiving its 438
right to approve agreements and the resolution remains in effect, 439
approval of an agreement by the board of education is not required 440
under division (C) of this section. If a board of education has 441
adopted a resolution allowing a board of county commissioners to 442
deliver the notice required under this division fewer than 443
forty-five business days prior to approval of the agreement by the 444
board of county commissioners, the board of county commissioners 445
shall deliver the notice to the board of education not later than 446
the number of days prior to such approval as prescribed by the 447
board of education in its resolution. If a board of education 448
adopts a resolution waiving its right to approve agreements or 449
shortening the notification period, the board of education shall 450
certify a copy of the resolution to the board of county 451
commissioners. If the board of education rescinds such a 452
resolution, it shall certify notice of the rescission to the board 453
of county commissioners. 454

(2) The board of county commissioners shall comply with 455
section 5709.83 of the Revised Code unless the board of education 456
has adopted a resolution under that section waiving its right to 457
receive such notice. 458

(D) This division applies to zones certified by the director 459
of development under this section prior to July 22, 1994. 460

On or before October 15, 2009, and with the consent of the 461
legislative authority of each affected municipal corporation or 462

board of township trustees of each affected township, the board of 463
county commissioners that designated a zone to which this division 464
applies may enter into an agreement with an enterprise if the 465
board ~~makes the finding required under that division and~~ 466
~~determines~~ finds that the enterprise satisfies one of the criteria 467
described in divisions (D)(1) to (5) of this section: 468

(1) The enterprise currently has no operations in this state 469
and, subject to approval of the agreement, intends to establish 470
operations in the zone; 471

(2) The enterprise currently has operations in this state 472
and, subject to approval of the agreement, intends to establish 473
operations at a new location in the zone that would not result in 474
a reduction in the number of employee positions at any of the 475
enterprise's other locations in this state; 476

(3) The enterprise, subject to approval of the agreement, 477
intends to relocate operations, currently located in another 478
state, to the zone; 479

(4) The enterprise, subject to approval of the agreement, 480
intends to expand operations at an existing site in the zone that 481
the enterprise currently operates; 482

(5) The enterprise, subject to approval of the agreement, 483
intends to relocate operations, currently located in this state, 484
to the zone, and the director of development has issued a waiver 485
for the enterprise under division (B) of section 5709.633 of the 486
Revised Code. 487

The agreement shall require the enterprise to agree to 488
establish, expand, renovate, or occupy a facility in the zone and 489
hire new employees, or preserve employment opportunities for 490
existing employees, in return for one or more of the incentives 491
described in division (B) of this section. 492

(E) All agreements entered into under this section shall be 493

in the form prescribed under section 5709.631 of the Revised Code. 494
After an agreement under this section is entered into, if the 495
board of county commissioners revokes its designation of ~~the a~~ 496
zone, or if the director of development revokes ~~the a~~ zone's 497
certification, any entitlements granted under the agreement shall 498
continue for the number of years specified in the agreement. 499

(F) Except as otherwise provided in this ~~paragraph~~ division, 500
an agreement entered into under this section shall require that 501
the enterprise pay an annual fee equal to the greater of one per 502
cent of the dollar value of incentives offered under the agreement 503
or five hundred dollars; provided, however, that if the value of 504
the incentives exceeds two hundred fifty thousand dollars, the fee 505
shall not exceed two thousand five hundred dollars. The fee shall 506
be payable to the board of county commissioners once per year for 507
each year the agreement is effective on the days and in the form 508
specified in the agreement. Fees paid shall be deposited in a 509
special fund created for such purpose by the board and shall be 510
used by the board exclusively for the purpose of complying with 511
section 5709.68 of the Revised Code and by the tax incentive 512
review council created under section 5709.85 of the Revised Code 513
exclusively for the purposes of performing the duties prescribed 514
under that section. The board may waive or reduce the amount of 515
the fee charged against an enterprise, but such waiver or 516
reduction does not affect the obligations of the board or the tax 517
incentive review council to comply with section 5709.68 or 5709.85 518
of the Revised Code, respectively. 519

(G) With the approval of the legislative authority of a 520
municipal corporation or the board of township trustees of a 521
township in which a zone is designated under division (A) of this 522
section, the board of county commissioners may delegate to that 523
legislative authority or board any powers and duties of the board 524
of county commissioners to negotiate and administer agreements 525

with regard to that zone under this section. 526

(H) When an agreement is entered into pursuant to this 527
section, the ~~legislative authority~~ board of county commissioners 528
authorizing the agreement or the legislative authority or board of 529
township trustees that negotiates and administers the agreement 530
shall forward a copy of the agreement to the director of 531
development and to the tax commissioner within fifteen days after 532
the agreement is entered into. If any agreement includes terms not 533
provided for in section 5709.631 of the Revised Code affecting the 534
revenue of a city, local, or exempted village school district or 535
causing revenue to be foregone by the district, including any 536
compensation to be paid to the school district pursuant to section 537
5709.82 of the Revised Code, those terms also shall be forwarded 538
in writing to the director of development along with the copy of 539
the agreement forwarded under this division. 540

(I) After an agreement is entered into, the enterprise shall 541
file with each personal property tax return required to be filed, 542
or annual report that is required to be filed under section 543
5727.08 of the Revised Code, while the agreement is in effect, an 544
informational return, on a form prescribed by the tax commissioner 545
for that purpose, setting forth separately the property, and 546
related costs and values, exempted from taxation under the 547
agreement. 548

(J) Enterprises may agree to give preference to residents of 549
the zone within which the agreement applies relative to residents 550
of this state who do not reside in the zone when hiring new 551
employees under the agreement. 552

(K) An agreement entered into under this section may include 553
a provision requiring the enterprise to create one or more 554
temporary internship positions for students enrolled in a course 555
of study at a school or other educational institution in the 556
vicinity, and to create a scholarship or provide another form of 557

educational financial assistance for students holding such a 558
position in exchange for the student's commitment to work for the 559
enterprise at the completion of the internship. 560

(L) The tax commissioner's authority in determining the 561
accuracy of any exemption granted by an agreement entered into 562
under this section is limited to divisions (B)(1)(b)(i) and (ii), 563
(B)(2), (C), and (I) of this section, division (B)(1)(b)(iv) of 564
this section as it pertains to divisions (C)(2)(a), (b), and (c) 565
of section 5709.62 of the Revised Code, and divisions (B)(1) to 566
(10) of section 5709.631 of the Revised Code and, as authorized by 567
law, to enforcing any modification to, or revocation of, that 568
agreement by the board of county commissioners or the director of 569
development or, if the board's powers and duties are delegated 570
under division (G) of this section, by the legislative authority 571
of a municipal corporation or board of township trustees. 572

Sec. 5709.631. Each agreement entered into under sections 573
5709.62, 5709.63, and 5709.632 of the Revised Code on or after 574
April 1, 1994, shall be in writing and shall include all of the 575
information and statements prescribed by this section. Agreements 576
may include terms not prescribed by this section, but such terms 577
shall in no way derogate from the information and statements 578
prescribed by this section. 579

(A) Each agreement shall include the following information: 580

(1) The names of all parties to the agreement; 581

(2) A description of the investments to be made by the 582
applicant enterprise or by another party at the facility whether 583
or not the investments are exempted from taxation, including 584
existing or new building size and cost thereof; the value of 585
machinery, equipment, furniture, and fixtures, including an 586
itemization of the value of machinery, equipment, furniture, and 587
fixtures used at another location in this state prior to the 588

agreement and relocated or to be relocated from that location to 589
the facility and the value of machinery, equipment, furniture, and 590
fixtures at the facility prior to the execution of the agreement 591
that will not be exempted from taxation; the value of inventory at 592
the facility, including an itemization of the value of inventory 593
held at another location in this state prior to the agreement and 594
relocated or to be relocated from that location to the facility, 595
and the value of inventory held at the facility prior to the 596
execution of the agreement that will not be exempted from 597
taxation; 598

(3) The scheduled starting and completion dates of 599
investments made in building, machinery, equipment, furniture, 600
fixtures, and inventory; 601

(4) Estimates of the number of employee positions to be 602
created each year of the agreement and of the number of employee 603
positions retained by the applicant enterprise due to the project, 604
itemized as to the number of full-time, part-time, permanent, and 605
temporary positions; 606

(5) Estimates of the dollar amount of payroll attributable to 607
the positions set forth in division (A)(4) of this section, 608
similarly itemized; 609

(6) The number of employee positions, if any, at the project 610
site and at any other location in the state at the time the 611
agreement is executed, itemized as to the number of full-time, 612
part-time, permanent, and temporary positions. 613

(B) Each agreement shall set forth the following information 614
and incorporate the following statements: 615

(1) A description of real property to be exempted from 616
taxation under the agreement, the percentage of the assessed 617
valuation of the real property exempted from taxation, and the 618
period for which the exemption is granted, accompanied by the 619

statement: "The exemption commences the first year for which the 620
real property would first be taxable were that property not 621
exempted from taxation. No exemption shall commence after 622
..... (insert date) nor extend beyond (insert 623
date)." The tax commissioner shall adopt rules prescribing the 624
form the description of such property shall assume to ensure that 625
the property to be exempted from taxation under the agreement is 626
distinguishable from property that is not to be exempted under 627
that agreement. 628

(2) A description of tangible personal property to be 629
exempted from taxation under the agreement, the percentage of the 630
assessed value of the tangible personal property exempted from 631
taxation, and the period for which the exemption is granted, 632
accompanied by the statement: "The minimum investment for tangible 633
personal property to qualify for the exemption is \$..... 634
(insert dollar amount) to purchase machinery and equipment first 635
used in business at the facility as a result of the project, 636
\$..... (insert dollar amount) for furniture and fixtures and 637
other noninventory personal property first used in business at the 638
facility as a result of the project, and \$..... (insert 639
dollar amount) for new inventory. The maximum investment for 640
tangible personal property to qualify for the exemption is 641
\$..... (insert dollar amount) to purchase machinery and 642
equipment first used in business at the facility as a result of 643
the project, \$..... (insert dollar amount) for furniture and 644
fixtures and other noninventory personal property first used in 645
business at the facility as a result of the project, and 646
\$..... (insert dollar amount) for new inventory. The 647
exemption commences the first year for which the tangible personal 648
property would first be taxable were that property not exempted 649
from taxation. No exemption shall commence after tax return year 650
..... (insert year) nor extend beyond tax return year 651
..... (insert year). In no instance shall any tangible 652

personal property be exempted from taxation for more than ten 653
return years unless ~~the project that is part of the agreement~~ 654
~~involves the enrichment and commercialization of uranium or~~ 655
~~uranium products or the research and development activities~~ 656
~~related to that enrichment or commercialization, under division~~ 657
(D)(2) of section 5709.62 or under division (C)(1)(b) of section 658
5709.63 of the Revised Code, the board of education approves 659
exemption for a number of years in excess of ten, in which case 660
the tangible personal property may be exempted from taxation for 661
~~up to that number of years, not to exceed~~ fifteen return years." 662
No exemption shall be allowed for any type of tangible personal 663
property if the total investment is less than the minimum dollar 664
amount specified for that type of property. If, for a type of 665
tangible personal property, there are no minimum or maximum 666
investment dollar amounts specified in the statement or the dollar 667
amounts are designated in the statement as not applicable, the 668
exemption shall apply to the total cost of that type of tangible 669
personal property first used in business at the facility as a 670
result of the project. The tax commissioner shall adopt rules 671
prescribing the form the description of such property shall assume 672
to ensure that the property to be exempted from taxation under the 673
agreement is distinguishable from property that is not to be 674
exempted under that agreement. 675

(3) "..... (insert name of enterprise) shall pay such 676
real and tangible personal property taxes as are not exempted 677
under this agreement and are charged against such property and 678
shall file all tax reports and returns as required by law. If 679
..... (insert name of enterprise) fails to pay such taxes or 680
file such returns and reports, all incentives granted under this 681
agreement are rescinded beginning with the year for which such 682
taxes are charged or such reports or returns are required to be 683
filed and thereafter." 684

(4) "..... (insert name of enterprise) hereby certifies 685
that at the time this agreement is executed, (insert 686
name of enterprise) does not owe any delinquent real or tangible 687
personal property taxes to any taxing authority of the State of 688
Ohio, and does not owe delinquent taxes for which 689
(insert name of enterprise) is liable under Chapter 5727., 5733., 690
5735., 5739., 5741., 5743., 5747., or 5753. of the Revised Code, 691
or, if such delinquent taxes are owed, (insert name of 692
enterprise) currently is paying the delinquent taxes pursuant to a 693
delinquent tax contract enforceable by the State of Ohio or an 694
agent or instrumentality thereof, has filed a petition in 695
bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has 696
been filed against (insert name of enterprise). For the 697
purposes of the certification, delinquent taxes are taxes that 698
remain unpaid on the latest day prescribed for payment without 699
penalty under the chapter of the Revised Code governing payment of 700
those taxes." 701

(5) "..... (insert name of municipal corporation or 702
county) shall perform such acts as are reasonably necessary or 703
appropriate to effect, claim, reserve, and maintain exemptions 704
from taxation granted under this agreement including, without 705
limitation, joining in the execution of all documentation and 706
providing any necessary certificates required in connection with 707
such exemptions." 708

(6) "If for any reason the enterprise zone designation 709
expires, the Director of the Ohio Department of Development 710
revokes certification of the zone, or (insert name of 711
municipal corporation or county) revokes the designation of the 712
zone, entitlements granted under this agreement shall continue for 713
the number of years specified under this agreement, unless 714
..... (insert name of enterprise) materially fails to fulfill 715
its obligations under this agreement and (insert name 716

of municipal corporation or county) terminates or modifies the 717
exemptions from taxation granted under this agreement." 718

(7) "If (insert name of enterprise) materially 719
fails to fulfill its obligations under this agreement, or if 720
..... (insert name of municipal corporation or county) 721
determines that the certification as to delinquent taxes required 722
by this agreement is fraudulent, (insert name of 723
municipal corporation or county) may terminate or modify the 724
exemptions from taxation granted under this agreement." 725

(8) "..... (insert name of enterprise) shall provide to 726
the proper tax incentive review council any information reasonably 727
required by the council to evaluate the enterprise's compliance 728
with the agreement, including returns or annual reports filed 729
pursuant to section 5711.02 or 5727.08 of the Ohio Revised Code if 730
requested by the council." 731

(9) "..... (insert name of enterprise) and 732
(insert name of municipal corporation or county) acknowledge that 733
this agreement must be approved by formal action of the 734
legislative authority of (insert name of municipal 735
corporation or county) as a condition for the agreement to take 736
effect. This agreement takes effect upon such approval." 737

(10) "This agreement is not transferable or assignable 738
without the express, written approval of (insert name 739
of municipal corporation or county)." 740

(11) "Exemptions from taxation granted under this agreement 741
shall be revoked if it is determined that (insert 742
name of enterprise), any successor enterprise, or any related 743
member (as those terms are defined in section 5709.61 of the Ohio 744
Revised Code) has violated the prohibition against entering into 745
this agreement under division (E) of section 3735.671 or section 746
5709.62, 5709.63, or 5709.632 of the Ohio Revised Code prior to 747

the time prescribed by that division or either of those sections." 748

The statement described in division (B)(7) of this section 749
may include the following statement, appended at the end of the 750
statement: "and may require the repayment of the amount of taxes 751
that would have been payable had the property not been exempted 752
from taxation under this agreement." 753

(C) If the director of development had to issue a waiver 754
under section 5709.633 of the Revised Code as a condition for the 755
agreement to be executed, the agreement shall include the 756
following statement: 757

"Continuation of this agreement is subject to the validity of 758
the circumstance upon which (insert name of enterprise) 759
applied for, and the Director of the Ohio Department of 760
Development issued, the waiver pursuant to section 5709.633 of the 761
Ohio Revised Code. If, after formal approval of this agreement by 762
..... (insert name of municipal corporation or county), the 763
Director or (insert name of municipal corporation or 764
county) discovers that such a circumstance did not exist, 765
..... (insert name of enterprise) shall be deemed to have 766
materially failed to comply with this agreement." 767

If the director issued a waiver on the basis of the 768
circumstance described in division (B)(3) of section 5709.633 of 769
the Ohio Revised Code, the conditions enumerated in divisions 770
(B)(3)(a)(i) and (ii) or divisions (B)(3)(b)(i) and (ii) of that 771
section shall be incorporated in the information described in 772
divisions (A)(2), (3), and (4) of this section. 773

Section 2. That existing sections 5709.62, 5709.63, and 774
5709.631 of the Revised Code are hereby repealed. 775

Section 3. That Sections 38 and 38.20 of Am. Sub. H.B. 95 of 776
the 125th General Assembly be amended to read as follows: 777

Sec. 38. DEV DEPARTMENT OF DEVELOPMENT				778
General Revenue Fund				779
GRF 195-321	Operating Expenses	\$ 2,695,236	\$ 3,020,115	780
GRF 195-401	Thomas Edison Program	\$ 16,634,934	\$ 16,334,934	781
GRF 195-404	Small Business Development	\$ 1,740,722	\$ 1,740,722	782
GRF 195-405	Minority Business Development Division	\$ 1,620,755	\$ 1,669,378	783
GRF 195-407	Travel and Tourism	\$ 6,049,345	\$ 7,049,345	784
GRF 195-410	Defense Conversion Assistance	\$ 1,500,000	\$ 0	785
GRF 195-412	Business Development Grants	\$ 8,905,530	\$ 8,905,530	786
GRF 195-414	First Frontier Match	\$ 389,987	\$ 389,987	787
GRF 195-415	Economic Development Division and Regional Offices	\$ 5,594,975	\$ 5,594,975	788
GRF 195-416	Governor's Office of Appalachia	\$ 4,372,324	\$ 4,372,324	789
GRF 195-417	Urban/Rural Initiative	\$ 589,390	\$ 589,390	790
GRF 195-422	Third Frontier Action Fund	\$ 16,790,000	\$ 16,790,000	791
GRF 195-426	Clean Ohio Administration	\$ 518,730	\$ 518,730	792
GRF 195-432	International Trade	\$ 4,492,713	\$ 4,492,713	793
GRF 195-434	Investment in Training Grants	\$ 12,227,500	\$ 12,227,500	794
GRF 195-436	Labor/Management Cooperation	\$ 811,869	\$ 811,869	795
GRF 195-497	CDBG Operating Match	\$ 1,107,400	\$ 1,107,400	796
GRF 195-498	State Energy Match	\$ 100,000	\$ 100,000	797
GRF 195-501	Appalachian Local	\$ 380,080	\$ 380,080	798

		Development Districts					
GRF 195-502	Appalachian Regional	\$	238,274	\$	246,803		799
	Commission Dues						
GRF 195-507	Travel and Tourism	\$	1,025,000	\$	1,025,000		800
	Grants						
GRF 195-515	Economic Development	\$	10,000,000	\$	10,000,000		801
	Contingency						
GRF 195-516	Shovel Ready Sites	\$	2,500,000	\$	2,500,000		802
GRF 195-905	Third Frontier	\$	0	\$	7,360,000		803
	Research &						
	Commercialization						
	General Obligation						
	Debt Service						
TOTAL GRF	General Revenue Fund	\$	100,284,764	\$	107,226,795		804
	General Services Fund Group						805
135 195-605	Supportive Services	\$	7,417,068	\$	7,539,686		806
136 195-621	International Trade	\$	24,915	\$	24,915		807
685 195-636	General Reimbursements	\$	1,316,012	\$	1,232,530		808
TOTAL GSF	General Services Fund						809
Group		\$	8,757,995	\$	8,797,131		810
	Federal Special Revenue Fund Group						811
3K8 195-613	Community Development	\$	65,000,000	\$	65,000,000		812
	Block Grant						
3K9 195-611	Home Energy Assistance	\$	85,036,000	\$	85,036,000		813
	Block Grant						
3K9 195-614	HEAP Weatherization	\$	16,219,479	\$	16,219,479		814
3L0 195-612	Community Services	\$	25,235,000	\$	25,235,000		815
	Block Grant						
3V1 195-601	HOME Program	\$	40,000,000	\$	40,000,000		816
308 195-602	Appalachian Regional	\$	350,200	\$	350,200		817
	Commission						
308 195-603	Housing and Urban	\$	5,000,000	\$	5,000,000		818

		Development				
308	195-605	Federal Projects	\$	15,300,248	\$	15,300,248 819
308	195-609	Small Business	\$	4,196,381	\$	4,296,381 820
		Administration				
308	195-618	Energy Federal Grants	\$	3,397,659	\$	3,397,659 821
335	195-610	Oil Overcharge	\$	8,500,000	\$	8,500,000 822
380	195-622	Housing Development	\$	5,606,080	\$	5,667,627 823
		Operating				
		TOTAL FED Federal Special Revenue				824
		Fund Group	\$	273,841,047	\$	274,002,594 825
		State Special Revenue Fund Group				826
4F2	195-639	State Special Projects	\$	540,183	\$	290,183 827
4H4	195-641	First Frontier	\$	500,000	\$	500,000 828
4S0	195-630	Enterprise Zone	\$	211,900	\$	211,900 829
		Operating				
4S1	195-634	Job Creation Tax	\$	375,800	\$	375,800 830
		Credit Operating				
4W1	195-646	Minority Business	\$	2,580,597	\$	2,580,597 831
		Enterprise Loan				
444	195-607	Water and Sewer	\$	523,775	\$	523,775 832
		Commission Loans				
445	195-617	Housing Finance	\$	5,040,843	\$	4,983,738 833
		Operating				
450	195-624	Minority Business	\$	13,563	\$	13,563 834
		Bonding Program				
		Administration				
451	195-625	Economic Development	\$	2,358,310	\$	2,358,310 835
		Financing Operating				
5M4	195-659	Universal Service	\$	170,000,000	\$	170,000,000 836
5M5	195-660	Energy Efficiency	\$	12,000,000	\$	12,000,000 837
		Revolving Loan				
611	195-631	Water and Sewer	\$	15,713	\$	15,713 838
		Administration				

617	195-654	Volume Cap Administration	\$	200,000	\$	200,000	839
646	195-638	Low and Moderate Income Housing Trust Fund	\$	40,000,000	\$	40,000,000	840
TOTAL SSR State Special Revenue							841
Fund Group			\$	234,360,684	\$	234,053,579	842
Facilities Establishment Fund Group							843
009	195-664	Innovation Ohio	\$	50,000,000	\$	55,000,000	844
037	195-615	Facilities Establishment	\$	63,931,149	\$	63,931,149	845
4Z6	195-647	Rural Industrial Park Loan	\$	5,000,000	\$	5,000,000	846
5D2	195-650	Urban Redevelopment Loans	\$	10,475,000	\$	10,475,000	847
5H1	195-652	Family Farm Loan Guarantee	\$	1,500,000	\$	1,500,000	848
5S8	195-627	Rural Development Initiative	\$	5,000,000	\$	5,000,000	849
5S9	195-628	Capital Access Loan Program	\$	3,000,000	\$	3,000,000	850
TOTAL 037 Facilities Establishment Fund Group							851
			\$	138,906,149	\$	143,906,149	852
Clean Ohio Revitalization Fund							853
003	195-663	Clean Ohio Operating	\$	150,000	\$	150,000	854
TOTAL 003 Clean Ohio Revitalization Fund							855
			\$	150,000	\$	150,000	
<u>Job Development Initiatives Fund</u>							856
<u>5AD</u>	<u>195-667</u>	<u>Investment in Training</u> <u>Expansion</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>12,800,000</u>	857
<u>5AD</u>	<u>195-668</u>	<u>Worker Guarantee</u> <u>Program</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>3,000,000</u>	858

5AD 195-669 Wright Operating	\$	0	\$	<u>10,000,000</u>	859
Grants					
TOTAL 5AD Job Development	\$	0	\$	<u>25,800,000</u>	860
Initiatives Fund					
TOTAL ALL BUDGET FUND GROUPS	\$	756,300,639	\$	768,136,248	861
				<u>793,936,248</u>	862

Sec. 38.20. CLEAN OHIO OPERATING EXPENSES 864

The foregoing appropriation item 195-663, Clean Ohio 865
Operating, shall be used by the Department of Development in 866
administering sections 122.65 to 122.658 of the Revised Code. 867

INVESTMENT IN TRAINING EXPANSION 868

The foregoing appropriation item 195-667, Investment in 869
Training Expansion, shall be used for the same purposes and in the 870
same manner as specified in Section 38.09 of Am. Sub. H.B. 95 of 871
the 125th General Assembly. 872

WORKER GUARANTEE PROGRAM 873

The foregoing appropriation item 195-668, Worker Guarantee 874
Program, shall be used for the Worker Guarantee Program. 875

Benefited employers must create at least 100 high-paying, 876
full-time jobs over a three-year period and must demonstrate prior 877
to the commitment of state funds that the availability of those 878
skilled workers is a major factor in the employer's decision to 879
locate or expand in Ohio. Activities eligible for funding through 880
the Worker Guarantee Program include job assessment services, 881
screening and testing of potential employees, customized training 882
activities, and any other training or related service determined 883
by the Director. 884

A local workforce development service provider may include, 885
but is not limited to, a community college, technical or 886
vocational school, one-stop center, or any other entity designated 887

by the Director of Development, to provide services under the 888
program. 889

State matching funds totaling one-third of a project's cost 890
shall be provided for each approved project when an employer and 891
any local workforce development service provider, in conjunction 892
with the local community, contracts with the Department of 893
Development to provide services under the program. The employer 894
and the local community each shall provide matching funds totaling 895
one-third of a project's cost, and each portion of the matching 896
funds shall be equal to state funding, which also shall be 897
one-third of a project's cost. 898

The state shall count in-kind contributions when determining 899
a contribution from entities associated with the local community. 900

The Director of Development, in accordance with Chapter 119. 901
of the Revised Code, shall adopt, and may amend or rescind, rules 902
the Director finds necessary for the implementation and successful 903
operation of the Worker Guarantee Program. 904

WRIGHT OPERATING GRANTS 905

The foregoing appropriation item 195-669, Wright Operating 906
Grants, shall be used to provide support to the 907
nonbioscience-oriented Wright Centers and Wright Capital Projects 908
funded by the Board of Regents appropriation item CAP-068, Third 909
Frontier, created by H.B. 675 of the 124th General Assembly. 910
Funding shall be awarded based on criteria established by the 911
Department of Development consistent with the intent of the 912
program. Prior to release of funds from appropriation item 913
195-669, Wright Operating Grants, each grant award shall have been 914
recommended for funding by the Third Frontier Commission and shall 915
have obtained approval from the Controlling Board. 916

Section 4. That existing Sections 38 and 38.20 of Am. Sub. 917

H.B. 95 of the 125th General Assembly are hereby repealed. 918

Section 5. Notwithstanding division (A) of section 169.05 of 919
the Revised Code, upon the request of the Director of Budget and 920
Management, the Director of Commerce, prior to June 30, 2005, 921
shall transfer to the Job Development Initiatives Fund (Fund 5AD) 922
up to \$25,800,000 of the unclaimed funds that have been reported 923
by the holders of unclaimed funds as provided by section 169.05 of 924
the Revised Code, irrespective of the allocation of the unclaimed 925
funds under that section. 926

Section 6. Sections 5709.62, 5709.63, and 5709.631 of the 927
Revised Code, as amended by this act, and the items of law of 928
which such sections as amended by this act are composed, are 929
subject to the referendum. Therefore, under Ohio Constitution, 930
Article II, Section 1c and section 1.471 of the Revised Code, such 931
sections as amended by this act, and the items of law of which 932
such sections as amended by this act are composed, take effect on 933
the ninety-first day after this act is filed with the Secretary of 934
State. If, however, a referendum petition is filed against any 935
such section as amended by this act, or against any item of law of 936
which any such section as amended by this act is composed, the 937
section as amended by this act, or item of law, unless rejected at 938
the referendum, takes effect at the earliest time permitted by 939
law. 940

Section 7. The uncodified sections of law amended or enacted 941
in this act, and the items of law of which the uncodified sections 942
of law amended or enacted in this act are composed, are not 943
subject to the referendum. Therefore, under Ohio Constitution, 944
Article II, Section 1d and section 1.471 of the Revised Code, the 945
uncodified sections of law amended or enacted in this act, and the 946
items of law of which the uncodified sections of law amended or 947

enacted in this act are composed, go into immediate effect when 948
this act becomes law. 949

This section does not apply to Sections 1, 2, and 8 of this 950
act. 951

Section 8. Sections 5709.62 and 5709.63 of the Revised Code 952
are presented in this act as a composite of those sections as 953
amended by both Sub. H.B. 127 and Am. Sub. S.B. 82 of the 125th 954
General Assembly. The General Assembly, applying the principle 955
stated in division (B) of section 1.52 of the Revised Code that 956
amendments are to be harmonized if reasonably capable of 957
simultaneous operation, finds that the composites are the 958
resulting versions of the sections in effect prior to the 959
effective date of the sections as presented in this act. 960