

As Passed by the House

127th General Assembly
Regular Session
2007-2008

Sub. S. B. No. 24

Senator Carey

Cosponsors: Senators Niehaus, Grendell, Spada, Harris, Padgett, Mumper,
Buehrer, Schaffer, Clancy, Roberts, Miller, D., Kearney, Cates, Goodman,
Sawyer, Cafaro, Faber, Wilson, Morano, Fedor, Stivers
Representatives Collier, Celeste, Zehringer, Hagan, R., Wolpert, Mallory,
Hagan, J., Reinhard, Schindel, Otterman, Heard, Combs, Williams, B.,
DeBose, Lundy, McGregor, J., Ujvagi, Chandler, Stebelton, Aslanides,
Blessing, Daniels, Domenick, Fende, Flowers, Garrison, Harwood, Hottinger,
Hughes, Letson, Luckie, Patton, Raussen, Sayre, Schlichter, Seitz, Setzer,
Szollosi, Uecker, Wagoner, Webster, Yates, Yuko

—

A B I L L

To amend sections 122.086, 122.087, 122.089,	1
122.0810, 122.0812, 122.0814, 122.0817, 122.0819,	2
and 122.951 of the Revised Code to require the	3
Director of Development to adopt rules regarding	4
the annual competitive process for the Job Ready	5
Site Program and to increase the maximum grant	6
amount that may be awarded under the Industrial	7
Site Improvement Fund.	8

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

Section 1. That sections 122.086, 122.087, 122.089, 122.0810,	9
122.0812, 122.0814, 122.0817, 122.0819, and 122.951 of the Revised	10
Code be amended to read as follows:	11

Sec. 122.086. (A) There is hereby created the job ready site program to provide grants to pay for allowable costs of eligible applicants for eligible projects. The program shall be administered by the department of development ~~pursuant to guidelines established for it by the director of development.~~ All grants shall be awarded through one of the following two processes:

~~(A)(1)~~ The annual competitive process under sections 122.087 to 122.0811 ~~and, 122.0814, and 122.0815~~ of the Revised Code;

~~(B)(2)~~ The discretionary process under sections 122.0812~~7~~ ~~122.0813, and 122.0814~~ to 122.0815 of the Revised Code.

(B) The annual competitive process shall be administered by the department of development pursuant to rules adopted by the director of development under Chapter 119. of the Revised Code. The rules shall not establish criteria that have the effect of excluding applications for grants from any county of the state.

(C) The discretionary process shall be administered by the department of development pursuant to guidelines established by the director of development.

Sec. 122.087. The director of development shall establish an annual competitive process for making grants described in section 122.086 of the Revised Code in accordance with rules adopted under that section. At least two-thirds of the amounts that may be distributed as grants each year under the job ready site program shall be distributed under the annual competitive process.

Sec. 122.089. An eligible applicant shall provide all of the following on the annual competitive process application:

(A) Contact information for the eligible applicant;

(B) A legal description of the property for which the grant

is requested; 41

(C) A summary of the proposed eligible project that includes 42
all of the following: 43

(1) A general description of the eligible project, including 44
individuals, organizations, or other entities that will play a 45
critical role in the implementation of the project; 46

(2) An explanation of the need for the eligible project, and 47
the predicted economic impact; 48

(3) An explanation of the need for a grant from the job ready 49
site program; 50

(4) The commitments required pursuant to division (A)(3) of 51
section 122.0815 of the Revised Code. 52

(D) A detailed summary of costs for the eligible project, 53
including supporting documents for cost estimates; 54

(E) Sources of funding for the eligible project, including 55
documentation verifying the status of those funds; 56

(F) Summary results of preliminary engineering studies and 57
environmental reviews, if any have been conducted; 58

(G) A comprehensive marketing plan detailing how the eligible 59
project will be marketed upon completion, if appropriate; 60

(H) Copies of resolutions or ordinances related to the 61
eligible project, including resolutions or ordinances adopted by 62
the political subdivision with jurisdiction over the geographic 63
area in which the eligible project is located; 64

(I) Any other information the director of development 65
requests on the application form. 66

Sec. 122.0810. (A) Each application for a grant pursuant to 67
the annual competitive process received by a district public works 68
integrating committee shall be evaluated by the executive 69

committee of the district committee. In conducting the evaluation, 70
the executive committee shall determine whether the application 71
for the proposed eligible project is complete and whether the 72
project meets the requirements of section 122.0815 of the Revised 73
Code. If the application is complete and the eligible project 74
meets the requirements of section 122.0815 of the Revised Code, 75
the executive committee shall prioritize the eligible project 76
pursuant to section 122.0816 of the Revised Code and pursuant to 77
local priorities, as those priorities are determined by the 78
executive committee, with all other eligible projects with 79
complete applications that meet the requirements of section 80
122.0815 of the Revised Code. If the application is incomplete or 81
the project does not meet the requirements of section 122.0815 of 82
the Revised Code, the executive committee shall notify the 83
applicant of the deficiencies and the period of time the applicant 84
has to correct the deficiencies and submit the corrections to the 85
executive committee. Failure to correct deficiencies within the 86
time designated by the executive committee shall disqualify the 87
project from consideration for a grant during the annual 88
competitive process for that year. 89

The executive committee, by the affirmative vote of a 90
majority of all its members, shall select up to three eligible 91
projects from the projects it has prioritized each year pursuant 92
to the annual competitive process. The executive committee shall 93
forward the applications and any accompanying information for each 94
of the selected eligible projects to the department of development 95
in the time and manner required by the ~~guidelines~~ rules governing 96
the annual competitive process for the job ready site program. 97

(B) For a district public works integrating committee that 98
does not have an executive committee, the full committee shall 99
perform the functions assigned to the executive committee under 100
section 122.0816 of the Revised Code and division (A) of this 101

section. 102

(C) An executive committee, or a district committee that does 103
not have an executive committee, may appoint a working group of 104
committee members and staff to perform the functions of those 105
committees as provided in this section. 106

Sec. 122.0812. The director of development shall establish a 107
discretionary process that permits the director to make grants 108
described in section 122.086 of the Revised Code in situations 109
that include those in which the timing of a proposed eligible 110
project is such that the annual competitive process is not 111
suitable. The director, as part of the guidelines established for 112
the discretionary process for the job ready site program, shall 113
establish all the procedures and requirements governing 114
application for the discretionary grants. 115

Sec. 122.0814. If the controlling board approves a grant for 116
an eligible project pursuant to the annual competitive process or 117
the discretionary process, the director of development shall enter 118
into an agreement with the eligible applicant to provide the grant 119
for the project. The agreement shall be executed prior to the 120
payment or disbursement of any funds under the grant and shall 121
contain the following provisions: 122

(A) A designation of a single officer or employee of the 123
eligible applicant who will serve as the manager of the eligible 124
project; 125

(B) A detailed description of the scope of the work required 126
under the eligible project, including anticipated sources and uses 127
of funds; 128

(C) A designation of the percentage of the estimated total 129
cost of the project for which the grant will provide funding, 130
which shall not exceed seventy-five per cent of the cost; 131

(D) Provisions for the recovery by the department of 132
development of grant funds for failure to meet the terms of the 133
agreement; 134

(E) A requirement that annual reports be made by the eligible 135
applicant on the progress of the eligible project and any other 136
information about the status of the project as required by the 137
guidelines and rules established for the job ready site program; 138

(F) Any other provisions the director determines necessary. 139

Sec. 122.0817. In accordance with the guidelines established 140
to govern the discretionary process and the rules adopted to 141
govern the annual competitive process for the job ready site 142
program, the director of development shall publish an annual 143
report that includes the following: 144

(A) Details on each grant awarded pursuant to the program; 145

(B) The status of projects funded in previous years; 146

(C) The amount of grants awarded for projects in economically 147
distressed areas and, to the extent possible, the impact of those 148
grants in those areas. 149

Sec. 122.0819. The ~~guidelines established~~ rules adopted to 150
govern the annual competitive process for the job ready site 151
program may provide for recovery of the costs, or a portion 152
thereof, incurred by district public works integrating committees 153
and executive committees in conducting their duties under the 154
program. 155

Sec. 122.951. (A) If the director of development determines 156
that a grant from the industrial site improvement fund may create 157
new jobs or preserve existing jobs and employment opportunities in 158
an eligible county, the director may grant up to ~~five~~ seven 159
hundred fifty thousand dollars from the fund to the eligible 160

county for the purpose of acquiring commercial or industrial land 161
or buildings and making improvements to commercial or industrial 162
areas within the eligible county, including, but not limited to: 163

(1) Expanding, remodeling, renovating, and modernizing 164
buildings, structures, and other improvements; 165

(2) Remediating environmentally contaminated property on 166
which hazardous substances exist under conditions that have caused 167
or would cause the property to be identified as contaminated by 168
the Ohio or United States environmental protection agency; and 169

(3) Infrastructure improvements, including, but not limited 170
to, site preparation, including building demolition and removal; 171
streets, roads, bridges, and traffic control devices; parking lots 172
and facilities; water and sewer lines and treatment plants; gas, 173
electric, and telecommunications, including broadband, hook-ups; 174
and water and railway access improvements. 175

A grant awarded under this section shall provide not more 176
than seventy-five per cent of the estimated total cost of the 177
project for which an application is submitted under this section. 178
In addition, not more than ten per cent of the amount of the grant 179
shall be used to pay the costs of professional services related to 180
the project. 181

(B) An eligible county may apply to the director for a grant 182
under this section in the form and manner prescribed by the 183
director. The eligible county shall include on the application all 184
information required by the director. The application shall 185
require the eligible county to provide a detailed description of 186
how the eligible county would use a grant to improve commercial or 187
industrial areas within the eligible county, and to specify how a 188
grant will lead to the creation of new jobs or the preservation of 189
existing jobs and employment opportunities in the eligible county. 190
The eligible county shall specify in the application the amount of 191

the grant for which the eligible county is applying. 192

(C) An eligible county that receives a grant under this 193
section is not eligible for any additional grants from the 194
industrial site improvement fund in the fiscal year in which the 195
grant is received and in the subsequent fiscal year. 196

(D) An eligible county may designate a port authority, 197
community improvement corporation as defined in section 122.71 of 198
the Revised Code, or other economic development entity that is 199
located in the county to apply for a grant under this section. If 200
a port authority, community improvement corporation, or other 201
economic development entity is so designated, references to an 202
eligible county in this section include references to the 203
authority, corporation, or other entity. 204

Section 2. That existing sections 122.086, 122.087, 122.089, 205
122.0810, 122.0812, 122.0814, 122.0817, 122.0819, and 122.951 of 206
the Revised Code are hereby repealed. 207