

**As Passed by the House**

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**Sub. H. B. No. 313**

**Representatives Ujvagi, Winburn**

**Cosponsors: Representatives Domenick, Patten, Murray, Hagan, Driehaus,  
Williams, B., Foley, Skindell, Williams, S., Letson, Stewart, Lehner, Yuko,  
Bacon, Belcher, Blair, Bolon, Boose, Boyd, Brown, Carney, Celeste,  
Chandler, Combs, DeBose, DeGeeter, Dyer, Fende, Garland, Garrison,  
Gerberry, Goyal, Grossman, Hackett, Harris, Heard, Koziura, Luckie, Mallory,  
Mecklenborg, Moran, Newcomb, Pillich, Szollosi, Weddington, Yates**

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**A B I L L**

To amend sections 1.62, 135.35, 323.78, 1724.02, 1  
1724.03, 1724.04, 1724.05, and 5722.22 and to 2  
enact section 321.343 of the Revised Code to 3  
authorize a county with a population greater than 4  
100,000, or a population between 78,000 and 5  
81,000, to organize a county land reutilization 6  
corporation, to authorize a county treasurer of a 7  
county with such a corporation to utilize the 8  
alternative redemption period in actions to 9  
foreclose abandoned lands, to immunize a county 10  
land reutilization corporation from liability for 11  
breach of a common law duty in connection with a 12  
parcel of land, and to make other changes 13  
regarding county land reutilization corporations. 14

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

**Section 1.** That sections 1.62, 135.35, 323.78, 1724.02, 15

1724.03, 1724.04, 1724.05, and 5722.22 be amended and section 16  
321.343 of the Revised Code be enacted to read as follows: 17

**Sec. 1.62.** As used in the Revised Code, unless the context of 18  
a section does not permit the following or unless expressly 19  
provided otherwise in a section: 20

(A) References to particular county officers, boards, 21  
commissions, and authorities mean, in the case of a county that 22  
has adopted a charter under Article X, Ohio Constitution, the 23  
officer, board, commission, or authority of that county designated 24  
by or pursuant to the charter to exercise the same powers or 25  
perform the same acts, duties, or functions that are to be 26  
exercised or performed under the applicable section of the Revised 27  
Code by officers, boards, commissions, or authorities of counties 28  
that have not adopted a charter. If any section of the Revised 29  
Code requires county representation on a board, commission, or 30  
authority by more than one county officer, and the charter vests 31  
the powers, duties, or functions of each county officer 32  
representing the county on the board, commission, or authority in 33  
fewer officers or in only a single county officer, the county 34  
officers or officer shall succeed to the representation of only 35  
one of the county officers on the board, commission, or authority. 36  
If any vacancy in the representation of the county on the board, 37  
commission, or authority remains, the taxing authority of the 38  
county shall adopt a resolution to fill the vacancy. 39

(B) References to resolutions mean, in the case of a county 40  
that has adopted a charter under Article X, Ohio Constitution, the 41  
appropriate form of legislation permitted by or pursuant to the 42  
charter. 43

**Sec. 135.35.** (A) The investing authority shall deposit or 44  
invest any part or all of the county's inactive moneys and shall 45

invest all of the money in the county public library fund when 46  
required by section 135.352 of the Revised Code. The following 47  
classifications of securities and obligations are eligible for 48  
such deposit or investment: 49

(1) United States treasury bills, notes, bonds, or any other 50  
obligation or security issued by the United States treasury, any 51  
other obligation guaranteed as to principal or interest by the 52  
United States, or any book entry, zero-coupon United States 53  
treasury security that is a direct obligation of the United 54  
States. 55

Nothing in the classification of eligible securities and 56  
obligations set forth in divisions (A)(2) to (11) of this section 57  
shall be construed to authorize any investment in stripped 58  
principal or interest obligations of such eligible securities and 59  
obligations. 60

(2) Bonds, notes, debentures, or any other obligations or 61  
securities issued by any federal government agency or 62  
instrumentality, including but not limited to, the federal 63  
national mortgage association, federal home loan bank, federal 64  
farm credit bank, federal home loan mortgage corporation, 65  
government national mortgage association, and student loan 66  
marketing association. All federal agency securities shall be 67  
direct issuances of federal government agencies or 68  
instrumentalities. 69

(3) Time certificates of deposit or savings or deposit 70  
accounts, including, but not limited to, passbook accounts, in any 71  
eligible institution mentioned in section 135.32 of the Revised 72  
Code; 73

(4) Bonds and other obligations of this state or the 74  
political subdivisions of this state, provided that such political 75  
subdivisions are located wholly or partly within the same county 76

as the investing authority;	77
(5) No-load money market mutual funds consisting exclusively	78
of obligations described in division (A)(1) or (2) of this section	79
and repurchase agreements secured by such obligations, provided	80
that investments in securities described in this division are made	81
only through eligible institutions mentioned in section 135.32 of	82
the Revised Code;	83
(6) The Ohio subdivision's fund as provided in section 135.45	84
of the Revised Code;	85
(7) Securities lending agreements with any eligible	86
institution mentioned in section 135.32 of the Revised Code that	87
is a member of the federal reserve system or federal home loan	88
bank or with any recognized United States government securities	89
dealer meeting the description in division (J)(1) of this section,	90
under the terms of which agreements the investing authority lends	91
securities and the eligible institution or dealer agrees to	92
simultaneously exchange similar securities or cash, equal value	93
for equal value.	94
Securities and cash received as collateral for a securities	95
lending agreement are not inactive moneys of the county or moneys	96
of a county public library fund. The investment of cash collateral	97
received pursuant to a securities lending agreement may be	98
invested only in instruments specified by the investing authority	99
in the written investment policy described in division (K) of this	100
section.	101
(8) Up to twenty-five per cent of the county's total average	102
portfolio in either of the following investments:	103
(a) Commercial paper notes issued by an entity that is	104
defined in division (D) of section 1705.01 of the Revised Code and	105
that has assets exceeding five hundred million dollars, to which	106
notes all of the following apply:	107

(i) The notes are rated at the time of purchase in the	108
highest classification established by at least two nationally	109
recognized standard rating services.	110
(ii) The aggregate value of the notes does not exceed ten per	111
cent of the aggregate value of the outstanding commercial paper of	112
the issuing corporation.	113
(iii) The notes mature not later than two hundred seventy	114
days after purchase.	115
(b) Bankers acceptances of banks that are insured by the	116
federal deposit insurance corporation and to which both of the	117
following apply:	118
(i) The obligations are eligible for purchase by the federal	119
reserve system.	120
(ii) The obligations mature not later than one hundred eighty	121
days after purchase.	122
No investment shall be made pursuant to division (A)(8) of	123
this section unless the investing authority has completed	124
additional training for making the investments authorized by	125
division (A)(8) of this section. The type and amount of additional	126
training shall be approved by the auditor of state and may be	127
conducted by or provided under the supervision of the auditor of	128
state.	129
(9) Up to fifteen per cent of the county's total average	130
portfolio in notes issued by corporations that are incorporated	131
under the laws of the United States and that are operating within	132
the United States, or by depository institutions that are doing	133
business under authority granted by the United States or any state	134
and that are operating within the United States, provided both of	135
the following apply:	136
(a) The notes are rated in the second highest or higher	137

category by at least two nationally recognized standard rating 138  
services at the time of purchase. 139

(b) The notes mature not later than two years after purchase. 140

(10) No-load money market mutual funds rated in the highest 141  
category at the time of purchase by at least one nationally 142  
recognized standard rating service and consisting exclusively of 143  
obligations described in division (A)(1), (2), or (6) of section 144  
135.143 of the Revised Code; 145

(11) Debt interests rated at the time of purchase in the 146  
three highest categories by two nationally recognized standard 147  
rating services and issued by foreign nations diplomatically 148  
recognized by the United States government. All interest and 149  
principal shall be denominated and payable in United States funds. 150  
The investments made under division (A)(11) of this section shall 151  
not exceed in the aggregate one per cent of a county's total 152  
average portfolio. 153

The investing authority shall invest under division (A)(11) 154  
of this section in a debt interest issued by a foreign nation only 155  
if the debt interest is backed by the full faith and credit of 156  
that foreign nation, there is no prior history of default, and the 157  
debt interest matures not later than five years after purchase. 158  
For purposes of division (A)(11) of this section, a debt interest 159  
is rated in the three highest categories by two nationally 160  
recognized standard rating services if either the debt interest 161  
itself or the issuer of the debt interest is rated, or is 162  
implicitly rated, at the time of purchase in the three highest 163  
categories by two nationally recognized standard rating services. 164

(12) A current unpaid or delinquent tax line of credit 165  
authorized under division (G) of section 135.341 of the Revised 166  
Code, provided that all of the conditions for entering into such a 167  
line of credit under that division are satisfied, or bonds and 168

other obligations of a county land reutilization corporation 169  
organized under Chapter 1724. of the Revised Code, if the county 170  
land reutilization corporation is located wholly or partly within 171  
the same county as the investing authority. 172

(B) Nothing in the classifications of eligible obligations 173  
and securities set forth in divisions (A)(1) to (11) of this 174  
section shall be construed to authorize investment in a 175  
derivative, and no investing authority shall invest any county 176  
inactive moneys or any moneys in a county public library fund in a 177  
derivative. For purposes of this division, "derivative" means a 178  
financial instrument or contract or obligation whose value or 179  
return is based upon or linked to another asset or index, or both, 180  
separate from the financial instrument, contract, or obligation 181  
itself. Any security, obligation, trust account, or other 182  
instrument that is created from an issue of the United States 183  
treasury or is created from an obligation of a federal agency or 184  
instrumentality or is created from both is considered a derivative 185  
instrument. An eligible investment described in this section with 186  
a variable interest rate payment, based upon a single interest 187  
payment or single index comprised of other eligible investments 188  
provided for in division (A)(1) or (2) of this section, is not a 189  
derivative, provided that such variable rate investment has a 190  
maximum maturity of two years. A treasury inflation-protected 191  
security shall not be considered a derivative, provided the 192  
security matures not later than five years after purchase. 193

(C) Except as provided in division (D) of this section, any 194  
investment made pursuant to this section must mature within five 195  
years from the date of settlement, unless the investment is 196  
matched to a specific obligation or debt of the county or to a 197  
specific obligation or debt of a political subdivision of this 198  
state located wholly or partly within the county, and the 199  
investment is specifically approved by the investment advisory 200

committee.	201
(D) The investing authority may also enter into a written	202
repurchase agreement with any eligible institution mentioned in	203
section 135.32 of the Revised Code or any eligible securities	204
dealer pursuant to division (J) of this section, under the terms	205
of which agreement the investing authority purchases and the	206
eligible institution or dealer agrees unconditionally to	207
repurchase any of the securities listed in divisions (B)(1) to	208
(5), except letters of credit described in division (B)(2), of	209
section 135.18 of the Revised Code. The market value of securities	210
subject to an overnight written repurchase agreement must exceed	211
the principal value of the overnight written repurchase agreement	212
by at least two per cent. A written repurchase agreement must	213
exceed the principal value of the overnight written repurchase	214
agreement, by at least two per cent. A written repurchase	215
agreement shall not exceed thirty days, and the market value of	216
securities subject to a written repurchase agreement must exceed	217
the principal value of the written repurchase agreement by at	218
least two per cent and be marked to market daily. All securities	219
purchased pursuant to this division shall be delivered into the	220
custody of the investing authority or the qualified custodian of	221
the investing authority or an agent designated by the investing	222
authority. A written repurchase agreement with an eligible	223
securities dealer shall be transacted on a delivery versus payment	224
basis. The agreement shall contain the requirement that for each	225
transaction pursuant to the agreement the participating	226
institution shall provide all of the following information:	227
(1) The par value of the securities;	228
(2) The type, rate, and maturity date of the securities;	229
(3) A numerical identifier generally accepted in the	230
securities industry that designates the securities.	231

No investing authority shall enter into a written repurchase agreement under the terms of which the investing authority agrees to sell securities owned by the county to a purchaser and agrees with that purchaser to unconditionally repurchase those securities.

(E) No investing authority shall make an investment under this section, unless the investing authority, at the time of making the investment, reasonably expects that the investment can be held until its maturity. The investing authority's written investment policy shall specify the conditions under which an investment may be redeemed or sold prior to maturity.

(F) No investing authority shall pay a county's inactive moneys or moneys of a county public library fund into a fund established by another subdivision, treasurer, governing board, or investing authority, if that fund was established by the subdivision, treasurer, governing board, or investing authority for the purpose of investing or depositing the public moneys of other subdivisions. This division does not apply to the payment of public moneys into either of the following:

(1) The Ohio subdivision's fund pursuant to division (A)(6) of this section;

(2) A fund created solely for the purpose of acquiring, constructing, owning, leasing, or operating municipal utilities pursuant to the authority provided under section 715.02 of the Revised Code or Section 4 of Article XVIII, Ohio Constitution.

For purposes of division (F) of this section, "subdivision" includes a county.

(G) The use of leverage, in which the county uses its current investment assets as collateral for the purpose of purchasing other assets, is prohibited. The issuance of taxable notes for the purpose of arbitrage is prohibited. Contracting to sell securities

not owned by the county, for the purpose of purchasing such 263  
securities on the speculation that bond prices will decline, is 264  
prohibited. 265

(H) Any securities, certificates of deposit, deposit 266  
accounts, or any other documents evidencing deposits or 267  
investments made under authority of this section shall be issued 268  
in the name of the county with the county treasurer or investing 269  
authority as the designated payee. If any such deposits or 270  
investments are registrable either as to principal or interest, or 271  
both, they shall be registered in the name of the treasurer. 272

(I) The investing authority shall be responsible for the 273  
safekeeping of all documents evidencing a deposit or investment 274  
acquired under this section, including, but not limited to, 275  
safekeeping receipts evidencing securities deposited with a 276  
qualified trustee, as provided in section 135.37 of the Revised 277  
Code, and documents confirming the purchase of securities under 278  
any repurchase agreement under this section shall be deposited 279  
with a qualified trustee, provided, however, that the qualified 280  
trustee shall be required to report to the investing authority, 281  
auditor of state, or an authorized outside auditor at any time 282  
upon request as to the identity, market value, and location of the 283  
document evidencing each security, and that if the participating 284  
institution is a designated depository of the county for the 285  
current period of designation, the securities that are the subject 286  
of the repurchase agreement may be delivered to the treasurer or 287  
held in trust by the participating institution on behalf of the 288  
investing authority. 289

Upon the expiration of the term of office of an investing 290  
authority or in the event of a vacancy in the office for any 291  
reason, the officer or the officer's legal representative shall 292  
transfer and deliver to the officer's successor all documents 293  
mentioned in this division for which the officer has been 294

responsible for safekeeping. For all such documents transferred 295  
and delivered, the officer shall be credited with, and the 296  
officer's successor shall be charged with, the amount of moneys 297  
evidenced by such documents. 298

(J)(1) All investments, except for investments in securities 299  
described in divisions (A)(5) ~~and~~, (6), and (12) of this section, 300  
shall be made only through a member of the national association of 301  
securities dealers, through a bank, savings bank, or savings and 302  
loan association regulated by the superintendent of financial 303  
institutions, or through an institution regulated by the 304  
comptroller of the currency, federal deposit insurance 305  
corporation, or board of governors of the federal reserve system. 306

(2) Payment for investments shall be made only upon the 307  
delivery of securities representing such investments to the 308  
treasurer, investing authority, or qualified trustee. If the 309  
securities transferred are not represented by a certificate, 310  
payment shall be made only upon receipt of confirmation of 311  
transfer from the custodian by the treasurer, governing board, or 312  
qualified trustee. 313

(K)(1) Except as otherwise provided in division (K)(2) of 314  
this section, no investing authority shall make an investment or 315  
deposit under this section, unless there is on file with the 316  
auditor of state a written investment policy approved by the 317  
investing authority. The policy shall require that all entities 318  
conducting investment business with the investing authority shall 319  
sign the investment policy of that investing authority. All 320  
brokers, dealers, and financial institutions, described in 321  
division (J)(1) of this section, initiating transactions with the 322  
investing authority by giving advice or making investment 323  
recommendations shall sign the investing authority's investment 324  
policy thereby acknowledging their agreement to abide by the 325  
policy's contents. All brokers, dealers, and financial 326

institutions, described in division (J)(1) of this section, 327  
executing transactions initiated by the investing authority, 328  
having read the policy's contents, shall sign the investment 329  
policy thereby acknowledging their comprehension and receipt. 330

(2) If a written investment policy described in division 331  
(K)(1) of this section is not filed on behalf of the county with 332  
the auditor of state, the investing authority of that county shall 333  
invest the county's inactive moneys and moneys of the county 334  
public library fund only in time certificates of deposits or 335  
savings or deposit accounts pursuant to division (A)(3) of this 336  
section, no-load money market mutual funds pursuant to division 337  
(A)(5) of this section, or the Ohio subdivision's fund pursuant to 338  
division (A)(6) of this section. 339

(L)(1) The investing authority shall establish and maintain 340  
an inventory of all obligations and securities acquired by the 341  
investing authority pursuant to this section. The inventory shall 342  
include a description of each obligation or security, including 343  
type, cost, par value, maturity date, settlement date, and any 344  
coupon rate. 345

(2) The investing authority shall also keep a complete record 346  
of all purchases and sales of the obligations and securities made 347  
pursuant to this section. 348

(3) The investing authority shall maintain a monthly 349  
portfolio report and issue a copy of the monthly portfolio report 350  
describing such investments to the county investment advisory 351  
committee, detailing the current inventory of all obligations and 352  
securities, all transactions during the month that affected the 353  
inventory, any income received from the obligations and 354  
securities, and any investment expenses paid, and stating the 355  
names of any persons effecting transactions on behalf of the 356  
investing authority. 357

(4) The monthly portfolio report shall be a public record and 358  
available for inspection under section 149.43 of the Revised Code. 359

(5) The inventory and the monthly portfolio report shall be 360  
filed with the board of county commissioners. 361

(M) An investing authority may enter into a written 362  
investment or deposit agreement that includes a provision under 363  
which the parties agree to submit to nonbinding arbitration to 364  
settle any controversy that may arise out of the agreement, 365  
including any controversy pertaining to losses of public moneys 366  
resulting from investment or deposit. The arbitration provision 367  
shall be set forth entirely in the agreement, and the agreement 368  
shall include a conspicuous notice to the parties that any party 369  
to the arbitration may apply to the court of common pleas of the 370  
county in which the arbitration was held for an order to vacate, 371  
modify, or correct the award. Any such party may also apply to the 372  
court for an order to change venue to a court of common pleas 373  
located more than one hundred miles from the county in which the 374  
investing authority is located. 375

For purposes of this division, "investment or deposit 376  
agreement" means any agreement between an investing authority and 377  
a person, under which agreement the person agrees to invest, 378  
deposit, or otherwise manage, on behalf of the investing 379  
authority, a county's inactive moneys or moneys in a county public 380  
library fund, or agrees to provide investment advice to the 381  
investing authority. 382

(N) An investment held in the county portfolio on September 383  
27, 1996, that was a legal investment under the law as it existed 384  
before September 27, 1996, may be held until maturity, or if the 385  
investment does not have a maturity date the investment may be 386  
held until five years from September 27, 1996, regardless of 387  
whether the investment would qualify as a legal investment under 388  
the terms of this section as amended. 389

Sec. 321.343. A county treasurer of a county in which a 390  
county land reutilization corporation has been organized under 391  
Chapter 1724. of the Revised Code may enter into an agreement with 392  
the county land reutilization corporation for the benefit of the 393  
holders of debt obligations of the corporation for the repayment 394  
of which will be pledged the penalties and interest on current 395  
year unpaid taxes and current year delinquent taxes, as defined in 396  
and available under section 321.341 of the Revised Code. The 397  
pledge agreement may include, without limitation, a pledge by the 398  
county treasurer of and a grant of a security interest in the 399  
penalties and interest deposited into the county land 400  
reutilization fund to the payment of debt service on the debt 401  
obligations and a covenant of the county treasurer to continue to 402  
make the special tax advances authorized under section 321.341 of 403  
the Revised Code when the debt obligations remain outstanding if 404  
necessary to generate from the penalties and interest at least the 405  
amount needed to pay the debt service on the debt obligations when 406  
due. The penalties and interest so pledged and so deposited are 407  
immediately subject to the pledge and security interest without 408  
any physical delivery thereof or further act. The pledge and 409  
security interest are valid, binding, and enforceable against all 410  
parties having claims of any kind against the county land 411  
reutilization corporation or the county treasurer, irrespective of 412  
notice thereof, and such pledge and grant of a security interest 413  
creates a perfected security interest for all purposes of Chapter 414  
1309. of the Revised Code, without the necessity for separation or 415  
delivery or possession of the pledged penalties and interest, or 416  
for the filing or recording of the document by which the pledge 417  
and security interest are created. The penalties and interest so 418  
deposited may be applied to the purposes for which pledged without 419  
necessity for any act of appropriation. The performance under this 420  
pledge agreement is expressly determined and declared to be a duty 421

specifically enjoined by law upon the county treasurer and each 422  
officer and employee having authority to perform the duty of the 423  
county treasurer resulting from an office, trust, or station, 424  
within the meaning of section 2731.01 of the Revised Code, 425  
enforceable by writ of mandamus. 426

**Sec. 323.78.** Notwithstanding anything in Chapters 323., 427  
5721., and 5723. of the Revised Code, if the county treasurer of a 428  
county ~~having a population of more than one million two hundred~~ 429  
~~thousand as of the most recent decennial census~~ in which a county 430  
land reutilization operates, in any petition for foreclosure of 431  
abandoned lands, elects to invoke the alternative redemption 432  
period, then upon any adjudication of foreclosure by any court or 433  
the board of revision in any proceeding under section 323.25, 434  
sections 323.65 to 323.79, or section 5721.18 of the Revised Code, 435  
the following apply: 436

(A) Unless otherwise ordered by a motion of the court or 437  
board of revision, the petition shall assert, and any notice of 438  
final hearing shall include, that upon foreclosure of the parcel, 439  
the equity of redemption in any parcel by its owner shall be 440  
forever terminated after the expiration of the alternative 441  
redemption period, that the parcel thereafter may be sold at 442  
sheriff's sale either by itself or together with other parcels as 443  
permitted by law; or that the parcel may, by order of the court or 444  
board of revision, be transferred directly to a municipal 445  
corporation, township, county, school district, or county land 446  
reutilization corporation without appraisal and without a sale, 447  
free and clear of all impositions and any other liens on the 448  
property, which shall be deemed forever satisfied and discharged. 449

(B) After the expiration of the alternative redemption period 450  
following an adjudication of foreclosure, by order of the court or 451  
board of revision, any equity of redemption is forever 452

extinguished, and the parcel may be transferred individually or in 453  
lots with other tax-foreclosed properties to a municipal 454  
corporation, township, county, school district, or county land 455  
reutilization corporation without appraisal and without a sale, 456  
upon which all impositions and any other liens subordinate to 457  
liens for impositions due at the time the deed to the property is 458  
conveyed to a purchaser or transferred to a community development 459  
organization, county land reutilization corporation, municipal 460  
corporation, county, township, or school district, shall be deemed 461  
satisfied and discharged. Other than the order of the court or 462  
board of revision so ordering the transfer of the parcel, no 463  
further act of confirmation or other order shall be required for 464  
such a transfer, or for the extinguishment of any right of 465  
redemption. 466

(C) Upon the expiration of the alternative redemption period 467  
in cases to which the alternative redemption period has been 468  
ordered, if no community development organization, county land 469  
reutilization corporation, municipal corporation, county, 470  
township, or school district has requested title to the parcel, 471  
the court or board of revision may order the property sold as 472  
otherwise provided in Chapters 323. and 5721. of the Revised Code, 473  
and, failing any bid at any such sale, the parcel shall be 474  
forfeited to the state and otherwise disposed of pursuant to 475  
Chapter 5723. of the Revised Code. 476

**Sec. 1724.02.** In furtherance of the purposes set forth in 477  
section 1724.01 of the Revised Code, a community improvement 478  
corporation shall have the following powers: 479

(A)(1) To borrow money for any of the purposes of the 480  
community improvement corporation by means of loans, lines of 481  
credit, or any other financial instruments or securities, 482  
including the issuance of its bonds, debentures, notes, or other 483

evidences of indebtedness, whether secured or unsecured, and to 484  
secure the same by mortgage, pledge, deed of trust, or other lien 485  
on its property, franchises, rights, and privileges of every kind 486  
and nature or any part thereof or interest therein; and 487

(2) If the community improvement corporation is a county land 488  
reutilization corporation, the corporation may request, by 489  
resolution: 490

(a) That the board of county commissioners of the county 491  
served by the corporation pledge a specifically identified source 492  
or sources of revenue pursuant to division (C) of section 307.78 493  
of the Revised Code as security for such borrowing by the 494  
corporation; and 495

(b)(i) If the land subject to reutilization is located within 496  
an unincorporated area of the county, that the board of county 497  
commissioners issue notes under section 307.082 of the Revised 498  
Code for the purpose of constructing public infrastructure 499  
improvements and take other actions as the board determines are in 500  
the interest of the county and are authorized under sections 501  
5709.78 to 5709.81 of the Revised Code or bonds or notes under 502  
section 5709.81 of the Revised Code for the refunding purposes set 503  
forth in that section; or 504

(ii) If the land subject to reutilization is located within 505  
the corporate boundaries of a municipal corporation, that the 506  
municipal corporation issue bonds for the purpose of constructing 507  
public infrastructure improvements and take such other actions as 508  
the municipal corporation determines are in its interest and are 509  
authorized under sections 5709.40 to 5709.43 of the Revised Code. 510

(B) To make loans to any person, firm, partnership, 511  
corporation, joint stock company, association, or trust, and to 512  
establish and regulate the terms and conditions with respect to 513  
any such loans; provided that an economic development corporation 514

shall not approve any application for a loan unless and until the 515  
person applying for said loan shows that the person has applied 516  
for the loan through ordinary banking or commercial channels and 517  
that the loan has been refused by at least one bank or other 518  
financial institution. Nothing in this division shall preclude a 519  
county land reutilization corporation from making revolving loans 520  
to community development corporations, private entities, or ~~groups~~ 521  
any person for the purposes contained in the corporation's plan 522  
under section 1724.10 of the Revised Code. 523

(C) To purchase, receive, hold, manage, lease, 524  
lease-purchase, or otherwise acquire and to sell, convey, 525  
transfer, lease, sublease, or otherwise dispose of real and 526  
personal property, together with such rights and privileges as may 527  
be incidental and appurtenant thereto and the use thereof, 528  
including but not restricted to, any real or personal property 529  
acquired by the community improvement corporation from time to 530  
time in the satisfaction of debts or enforcement of obligations, 531  
and to enter into contracts with third parties, including the 532  
federal government, the state, any political subdivision, or any 533  
other entity. A county land reutilization corporation shall not 534  
acquire an interest in real property if such acquisition causes 535  
the percentage of unoccupied real property held by the corporation 536  
to become less than seventy-five per cent of all real property 537  
held by the corporation for reutilization, reclamation, or 538  
rehabilitation. For the purposes of this division, "unoccupied" 539  
has the same meaning as in section 323.65 of the Revised Code. 540

(D) To acquire the good will, business, rights, real and 541  
personal property, and other assets, or any part thereof, or 542  
interest therein, of any persons, firms, partnerships, 543  
corporations, joint stock companies, associations, or trusts, and 544  
to assume, undertake, or pay the obligations, debts, and 545  
liabilities of any such person, firm, partnership, corporation, 546

joint stock company, association, or trust; to acquire, reclaim, 547  
manage, or contract for the management of improved or unimproved 548  
and underutilized real estate for the purpose of constructing 549  
industrial plants, other business establishments, or housing 550  
thereon, or causing the same to occur, for the purpose of 551  
assembling and enhancing utilization of the real estate, or for 552  
the purpose of disposing of such real estate to others in whole or 553  
in part for the construction of industrial plants, other business 554  
establishments, or housing; and to acquire, reclaim, manage, 555  
contract for the management of, construct or reconstruct, alter, 556  
repair, maintain, operate, sell, convey, transfer, lease, 557  
sublease, or otherwise dispose of industrial plants, business 558  
establishments, or housing. 559

(E) To acquire, subscribe for, own, hold, sell, assign, 560  
transfer, mortgage, pledge, or otherwise dispose of the stock, 561  
shares, bonds, debentures, notes, or other securities and 562  
evidences of interest in, or indebtedness of, any person, firm, 563  
corporation, joint stock company, association, or trust, and while 564  
the owner or holder thereof, to exercise all the rights, powers, 565  
and privileges of ownership, including the right to vote therein, 566  
provided that no tax revenue, if any, received by a community 567  
improvement corporation shall be used for such acquisition or 568  
subscription. 569

(F) To mortgage, pledge, or otherwise encumber any property 570  
acquired pursuant to the powers contained in divisions (C), (D), 571  
or (E) of this section. 572

(G) Nothing in this section shall limit the right of a 573  
community improvement corporation to become a member of or a 574  
stockholder in a corporation formed under Chapter 1726. of the 575  
Revised Code. 576

(H) To serve as an agent for grant applications and for the 577  
administration of grants, or to make applications as principal for 578

grants for county land reutilization corporations. 579

(I) To exercise the powers enumerated under Chapter 5722. of 580  
the Revised Code on behalf of a county that organizes or contracts 581  
with a county land reutilization corporation. 582

(J) To engage in code enforcement and nuisance abatement, 583  
including, but not limited to, cutting grass and weeds, boarding 584  
up vacant or abandoned structures, and demolishing condemned 585  
structures on properties that are subject to a delinquent tax or 586  
assessment lien, or property for which a municipal corporation or 587  
township has contracted with a county land reutilization 588  
corporation to provide code enforcement or nuisance abatement 589  
assistance. 590

(K) To charge fees or exchange in-kind goods or services for 591  
services rendered to political subdivisions and other persons or 592  
entities for whom services are rendered. 593

(L) To employ and provide compensation for an executive 594  
director who shall manage the operations of a county land 595  
reutilization corporation and employ others for the benefit of the 596  
corporation as approved and funded by the board of directors. No 597  
employee of the corporation is or shall be deemed to be an 598  
employee of the political subdivision for whose benefit the 599  
corporation is organized solely because the employee is employed 600  
by the corporation; 601

(M) To purchase tax certificates at auction, negotiated sale, 602  
or from a third party who purchased and is a holder of one or more 603  
tax certificates issued pursuant to sections 5721.30 to 5721.43 of 604  
the Revised Code; 605

(N) To be assigned a mortgage on real property from a 606  
mortgagee in lieu of acquiring such real property subject to a 607  
mortgage. 608

(O) To do all acts and things necessary or convenient to 609

carry out the purposes of section 1724.01 of the Revised Code and 610  
the powers especially created for a community improvement 611  
corporation in Chapter 1724. of the Revised Code, including, but 612  
not limited to, contracting with the federal government, the state 613  
or any political subdivision, and any other party, whether 614  
nonprofit or for-profit. 615

The powers enumerated in this chapter shall not be construed 616  
to limit the general powers of a community improvement 617  
corporation. The powers granted under this chapter are in addition 618  
to those powers granted by any other chapter of the Revised Code, 619  
but, as to a county land reutilization corporation, shall be used 620  
only for the purposes enumerated under division (B)(2) of section 621  
1724.01 of the Revised Code. 622

**Sec. 1724.03.** (A) After the articles of incorporation have 623  
been filed, and at the first meeting of the board of directors of 624  
a county land reutilization corporation, the board shall adopt 625  
regulations for the government of the corporation, the conduct of 626  
its affairs, and the management of its property, consistent with 627  
law and the articles. The content of the regulations shall be 628  
governed by section 1702.11 of the Revised Code to the extent not 629  
inconsistent with this chapter. 630

(B) The board of directors of a county land reutilization 631  
corporation shall be composed of at least five, seven, or nine 632  
members, including the county treasurer, at least two of the 633  
members of the board of county commissioners, one representative 634  
of the largest municipal corporation, based on the population 635  
according to the most recent federal decennial census, that is 636  
located in the county, one representative of a township with a 637  
population of at least ten thousand in the unincorporated area of 638  
the township according to the most recent federal decennial 639  
census, if such a township exists in the county, and ~~two~~ any 640

~~remaining~~ members selected by the treasurer and the county 641  
commissioners who are members of the corporation's board ~~and~~ 642  
~~approved by a majority of the chief executive officers of all~~ 643  
~~municipal corporations the majority of the territory of which is~~ 644  
~~located in the county. The treasurer and county commissioners who~~ 645  
~~are members of the board of directors shall establish the process~~ 646  
~~by which such approval shall be obtained. The failure, refusal, or~~ 647  
~~inability of any chief executive officer to respond in writing to~~ 648  
~~any request for approval of the members selected by the treasurer~~ 649  
~~and county commissioners within fourteen days shall be deemed an~~ 650  
~~approval by the chief executive officer. Any such failure,~~ 651  
~~refusal, or inability to respond shall not prevent the corporation~~ 652  
~~from exercising its powers and authority under this chapter. At~~ 653  
least one board member shall have private sector or nonprofit 654  
experience in rehabilitation or real estate acquisitions. A county 655  
treasurer and the county commissioners each may appoint a 656  
representative, as a director of the corporation, to act for the 657  
officer at any of the meetings of the corporation. Except as may 658  
otherwise be authorized by the regulations of the corporation, all 659  
members of the board of directors shall serve without 660  
compensation, but shall be reimbursed for actual and necessary 661  
expenses. 662

**Sec. 1724.04.** A county having a population of more than one 663  
~~million two hundred thousand, or between seventy-eight thousand~~ 664  
and eighty-one thousand, as of the most recent decennial census 665  
that elects under section 5722.02 of the Revised Code to adopt and 666  
implement the procedures set forth in sections 5722.02 to 5722.15 667  
of the Revised Code may organize a county land reutilization 668  
corporation under this chapter and Chapter 1702. of the Revised 669  
Code for the purpose of exercising the powers granted to a county 670  
under Chapter 5722. of the Revised Code. The county treasurer of 671  
the county for the benefit of which the corporation is being 672

organized shall be the incorporator of the county land 673  
reutilization corporation. The form of the articles of 674  
incorporation of the corporation shall be approved by resolution 675  
of the board of county commissioners of the county. 676

When the articles of incorporation of any community 677  
improvement corporation, or any amendment, amended articles, 678  
merger, or consolidation which provides for the creation of such a 679  
corporation, are deposited for filing and recording in the office 680  
of the secretary of state, the secretary of state shall submit 681  
them to the attorney general for examination. If such articles, 682  
amendment, amended articles, merger, or consolidation, are found 683  
by the attorney general to be in accordance with Chapter 1724. of 684  
the Revised Code, and not inconsistent with the constitution and 685  
laws of the United States and of this state, the attorney general 686  
shall endorse thereon the attorney general's approval and deliver 687  
them to the secretary of state, who shall file and record them 688  
pursuant to section 1702.07 of the Revised Code. 689

**Sec. 1724.05.** Each community improvement corporation shall 690  
prepare an annual financial report that conforms to rules 691  
prescribed by the auditor of state pursuant to section 117.20 of 692  
the Revised Code, that is prepared according to generally accepted 693  
accounting principles, and that is certified by the board of 694  
directors of the corporation or its treasurer or other chief 695  
fiscal officer to the best knowledge and belief of those persons 696  
certifying the report. The financial report shall be filed with 697  
the auditor of state within one hundred twenty days following the 698  
last day of the corporation's fiscal year, unless the auditor of 699  
state extends that deadline. The auditor of state may establish 700  
terms and conditions for granting any extension of that deadline. 701  
The financial report shall be published on the corporation's web 702  
site, or if the corporation does not have a web site, on the web 703  
site of the county in which the corporation is located. 704

Each community improvement corporation shall submit to audits 705  
by the auditor of state, the scope and frequency of which shall be 706  
in accordance with section 117.11 of the Revised Code as if the 707  
corporation were a public office subject to that section. However, 708  
a community improvement corporation may request in accordance with 709  
section 115.56 of the Revised Code, as if the corporation were a 710  
public office subject to that section, the performance of any of 711  
those audits by an independent certified public accountant or firm 712  
of certified public accountants. 713

The auditor of state is authorized to receive and file the 714  
annual financial reports required by this section and the reports 715  
of all audits performed in accordance with this section. The 716  
auditor of state shall analyze those annual financial reports and 717  
the reports of those audits to determine whether the activities of 718  
a community improvement corporation involved are in accordance 719  
with this chapter. 720

**Sec. 5722.22.** A county land reutilization corporation ~~shall~~ 721  
is not be liable for damages arising from a, or subject to 722  
equitable remedies, for breach of a common law duty, or for 723  
violation of sections 3737.87 to 3737.891 of the Revised Code or 724  
Chapter 3704., 3734., 3745., 3746., 3750., 3751., 3752., 6101., or 725  
6111. of the Revised Code or any rule adopted or order, permit, 726  
license, variance, or plan approval issued under any of those 727  
chapters ~~that is or was committed by another person~~ in connection 728  
with a parcel of land acquired by the county land reutilization 729  
corporation. 730

**Section 2.** That existing sections 1.62, 135.35, 323.78, 731  
1724.02, 1724.03, 1724.04, 1724.05, and 5722.22 of the Revised 732  
Code are hereby repealed. 733