

As Introduced

**128th General Assembly
Regular Session
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S. B. No. 175

Senator Cates

Cosponsors: Senators Buehrer, Grendell, Schaffer, Faber

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A B I L L

To amend section 3318.31 of the Revised Code to 1
transfer appointment of the executive director of 2
the Ohio School Facilities Commission from the 3
Commission to the Governor, with the advice and 4
consent of the Senate. 5

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

Section 1. That section 3318.31 of the Revised Code be 6
amended to read as follows: 7

Sec. 3318.31. (A) The Ohio school facilities commission may 8
perform any act and ensure the performance of any function 9
necessary or appropriate to carry out the purposes of, and 10
exercise the powers granted under, Chapter 3318. of the Revised 11
Code, including any of the following: 12

(1) Adopt, amend, and rescind, pursuant to section 111.15 of 13
the Revised Code, rules for the administration of programs 14
authorized under Chapter 3318. of the Revised Code. 15

(2) Contract with, retain the services of, or designate, and 16
fix the compensation of, such agents, accountants, consultants, 17
advisers, and other independent contractors as may be necessary or 18
desirable to carry out the programs authorized under Chapter 3318. 19

of the Revised Code, or authorize the executive director to 20
perform such powers and duties. 21

(3) Receive and accept any gifts, grants, donations, and 22
pledges, and receipts therefrom, to be used for the programs 23
authorized under Chapter 3318. of the Revised Code. 24

(4) Make and enter into all contracts, commitments, and 25
agreements, and execute all instruments, necessary or incidental 26
to the performance of its duties and the execution of its rights 27
and powers under Chapter 3318. of the Revised Code, or authorize 28
the executive director to perform such powers and duties. 29

(B) ~~The~~ (1) Until January 10, 2011, the commission shall 30
appoint and fix the compensation of an executive director who 31
shall serve at the pleasure of the commission. The term of the 32
executive director in office on the effective date of this 33
amendment shall expire January 10, 2011. The commission shall fill 34
any vacancy in the office of executive director that occurs prior 35
to January 10, 2011, for the remainder of that term. 36

(2) Beginning January 10, 2011, the governor shall appoint 37
the executive director, with the advice and consent of the senate. 38
The executive director shall hold office during the term of the 39
appointing governor, and is subject to removal at the pleasure of 40
the governor. The commission shall continue to fix the 41
compensation of the executive director. 42

(3) The executive director shall supervise the operations of 43
the commission and perform such other duties as delegated by the 44
commission. The executive director also shall employ and fix the 45
compensation of such employees as will facilitate the activities 46
and purposes of the commission, who shall serve at the pleasure of 47
the executive director. The employees of the commission shall be 48
exempt from Chapter 4117. of the Revised Code and shall not be 49
public employees as defined in section 4117.01 of the Revised 50

Code. 51

(C) The attorney general shall serve as the legal 52
representative for the commission and may appoint other counsel as 53
necessary for that purpose in accordance with section 109.07 of 54
the Revised Code. 55

Section 2. That existing section 3318.31 of the Revised Code 56
is hereby repealed. 57