

As Passed by the House

**129th General Assembly
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2011-2012**

H. B. No. 139

Representative McKenney

**Cosponsors: Representatives Clyde, Schuring, Sykes, Gerberry, Huffman,
Luckie, Celeste, Antonio, Newbold, Baker, Roegner, Maag, Stebelton, Fedor,
Adams, R., Amstutz, Anielski, Barnes, Beck, Blair, Budish, Carney, Combs,
Derickson, Dovilla, Fende, Foley, Gardner, Garland, Goyal, Hagan, C.,
Hagan, R., Heard, Letson, McClain, Mecklenborg, Milkovich, O'Brien, Okey,
Patmon, Ramos, Slaby, Slesnick, Stinziano, Weddington**

Speaker Batchelder

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A B I L L

To amend sections 145.01, 145.011, 151.04, 154.01, 1
185.03, 185.05, 3304.30, 3305.01, 3333.045, 2
3333.11, 3333.111, 3333.611, 3334.01, 3345.04, 3
3345.12, 3345.121, 3345.17, 3345.201, 3345.28, 4
3345.281, 3345.31, 3345.32, 3345.34, 3345.50, 5
3345.51, 3345.71, 3350.10, 3350.11, 3350.12, 6
3350.13, and 3350.14 of the Revised Code and 7
Sections 371.10, 371.20.80, and 371.40.90 of Am. 8
Sub. H.B. 1 of the 128th General Assembly and 9
Section 105.45.20 of Sub. H.B. 462 of the 128th 10
General Assembly to rename the Northeastern Ohio 11
Universities Colleges of Medicine and Pharmacy as 12
the Northeast Ohio Medical University and to 13
declare an emergency. 14

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

Section 1. That sections 145.01, 145.011, 151.04, 154.01, 15
185.03, 185.05, 3304.30, 3305.01, 3333.045, 3333.11, 3333.111, 16
3333.611, 3334.01, 3345.04, 3345.12, 3345.121, 3345.17, 3345.201, 17
3345.28, 3345.281, 3345.31, 3345.32, 3345.34, 3345.50, 3345.51, 18
3345.71, 3350.10, 3350.11, 3350.12, 3350.13, and 3350.14 of the 19
Revised Code be amended to read as follows: 20

Sec. 145.01. As used in this chapter: 21

(A) "Public employee" means: 22

(1) Any person holding an office, not elective, under the 23
state or any county, township, municipal corporation, park 24
district, conservancy district, sanitary district, health 25
district, metropolitan housing authority, state retirement board, 26
Ohio historical society, public library, county law library, union 27
cemetery, joint hospital, institutional commissary, state 28
university, or board, bureau, commission, council, committee, 29
authority, or administrative body as the same are, or have been, 30
created by action of the general assembly or by the legislative 31
authority of any of the units of local government named in 32
division (A)(1) of this section, or employed and paid in whole or 33
in part by the state or any of the authorities named in division 34
(A)(1) of this section in any capacity not covered by section 35
742.01, 3307.01, 3309.01, or 5505.01 of the Revised Code. 36

(2) A person who is a member of the public employees 37
retirement system and who continues to perform the same or similar 38
duties under the direction of a contractor who has contracted to 39
take over what before the date of the contract was a publicly 40
operated function. The governmental unit with which the contract 41
has been made shall be deemed the employer for the purposes of 42
administering this chapter. 43

(3) Any person who is an employee of a public employer, 44

notwithstanding that the person's compensation for that employment 45
is derived from funds of a person or entity other than the 46
employer. Credit for such service shall be included as total 47
service credit, provided that the employee makes the payments 48
required by this chapter, and the employer makes the payments 49
required by sections 145.48 and 145.51 of the Revised Code. 50

(4) A person who elects in accordance with section 145.015 of 51
the Revised Code to remain a contributing member of the public 52
employees retirement system. 53

In all cases of doubt, the public employees retirement board 54
shall determine whether any person is a public employee, and its 55
decision is final. 56

(B) "Member" means any public employee, other than a public 57
employee excluded or exempted from membership in the retirement 58
system by section 145.03, 145.031, 145.032, 145.033, 145.034, 59
145.035, or 145.38 of the Revised Code. "Member" includes a PERS 60
retirant who becomes a member under division (C) of section 145.38 61
of the Revised Code. "Member" also includes a disability benefit 62
recipient. 63

(C) "Head of the department" means the elective or appointive 64
head of the several executive, judicial, and administrative 65
departments, institutions, boards, and commissions of the state 66
and local government as the same are created and defined by the 67
laws of this state or, in case of a charter government, by that 68
charter. 69

(D) "Employer" or "public employer" means the state or any 70
county, township, municipal corporation, park district, 71
conservancy district, sanitary district, health district, 72
metropolitan housing authority, state retirement board, Ohio 73
historical society, public library, county law library, union 74
cemetery, joint hospital, institutional commissary, state medical 75

college university, state university, or board, bureau, 76
commission, council, committee, authority, or administrative body 77
as the same are, or have been, created by action of the general 78
assembly or by the legislative authority of any of the units of 79
local government named in this division not covered by section 80
742.01, 3307.01, 3309.01, or 5505.01 of the Revised Code. In 81
addition, "employer" means the employer of any public employee. 82

(E) "Prior service" means all service as a public employee 83
rendered before January 1, 1935, and all service as an employee of 84
any employer who comes within the state teachers retirement system 85
or of the school employees retirement system or of any other 86
retirement system established under the laws of this state 87
rendered prior to January 1, 1935, provided that if the employee 88
claiming the service was employed in any capacity covered by that 89
other system after that other system was established, credit for 90
the service may be allowed by the public employees retirement 91
system only when the employee has made payment, to be computed on 92
the salary earned from the date of appointment to the date 93
membership was established in the public employees retirement 94
system, at the rate in effect at the time of payment, and the 95
employer has made payment of the corresponding full liability as 96
provided by section 145.44 of the Revised Code. "Prior service" 97
also means all service credited for active duty with the armed 98
forces of the United States as provided in section 145.30 of the 99
Revised Code. 100

If an employee who has been granted prior service credit by 101
the public employees retirement system for service rendered prior 102
to January 1, 1935, as an employee of a board of education 103
establishes, before retirement, one year or more of contributing 104
service in the state teachers retirement system or school 105
employees retirement system, then the prior service ceases to be 106
the liability of this system. 107

If the board determines that a position of any member in any calendar year prior to January 1, 1935, was a part-time position, the board shall determine what fractional part of a year's credit shall be allowed by the following formula:

(1) When the member has been either elected or appointed to an office the term of which was two or more years and for which an annual salary is established, the fractional part of the year's credit shall be computed as follows:

First, when the member's annual salary is one thousand dollars or less, the service credit for each such calendar year shall be forty per cent of a year.

Second, for each full one hundred dollars of annual salary above one thousand dollars, the member's service credit for each such calendar year shall be increased by two and one-half per cent.

(2) When the member is paid on a per diem basis, the service credit for any single year of the service shall be determined by using the number of days of service for which the compensation was received in any such year as a numerator and using two hundred fifty days as a denominator.

(3) When the member is paid on an hourly basis, the service credit for any single year of the service shall be determined by using the number of hours of service for which the compensation was received in any such year as a numerator and using two thousand hours as a denominator.

(F) "Contributor" means any person who has an account in the employees' savings fund created by section 145.23 of the Revised Code. When used in the sections listed in division (B) of section 145.82 of the Revised Code, "contributor" includes any person participating in a PERS defined contribution plan.

(G) "Beneficiary" or "beneficiaries" means the estate or a

person or persons who, as the result of the death of a member, 139
contributor, or retirant, qualify for or are receiving some right 140
or benefit under this chapter. 141

(H)(1) "Total service credit," except as provided in section 142
145.37 of the Revised Code, means all service credited to a member 143
of the retirement system since last becoming a member, including 144
restored service credit as provided by section 145.31 of the 145
Revised Code; credit purchased under sections 145.293 and 145.299 146
of the Revised Code; all the member's prior service credit; all 147
the member's military service credit computed as provided in this 148
chapter; all service credit established pursuant to section 149
145.297 of the Revised Code; and any other service credited under 150
this chapter. In addition, "total service credit" includes any 151
period, not in excess of three years, during which a member was 152
out of service and receiving benefits under Chapters 4121. and 153
4123. of the Revised Code. For the exclusive purpose of satisfying 154
the service credit requirement and of determining eligibility for 155
benefits under sections 145.32, 145.33, 145.331, 145.35, 145.36, 156
and 145.361 of the Revised Code, "five or more years of total 157
service credit" means sixty or more calendar months of 158
contributing service in this system. 159

(2) "One and one-half years of contributing service credit," 160
as used in division (B) of section 145.45 of the Revised Code, 161
also means eighteen or more calendar months of employment by a 162
municipal corporation that formerly operated its own retirement 163
plan for its employees or a part of its employees, provided that 164
all employees of that municipal retirement plan who have eighteen 165
or more months of such employment, upon establishing membership in 166
the public employees retirement system, shall make a payment of 167
the contributions they would have paid had they been members of 168
this system for the eighteen months of employment preceding the 169
date membership was established. When that payment has been made 170

by all such employee members, a corresponding payment shall be 171
paid into the employers' accumulation fund by that municipal 172
corporation as the employer of the employees. 173

(3) Where a member also is a member of the state teachers 174
retirement system or the school employees retirement system, or 175
both, except in cases of retirement on a combined basis pursuant 176
to section 145.37 of the Revised Code or as provided in section 177
145.383 of the Revised Code, service credit for any period shall 178
be credited on the basis of the ratio that contributions to the 179
public employees retirement system bear to total contributions in 180
all state retirement systems. 181

(4) Not more than one year of credit may be given for any 182
period of twelve months. 183

(5) "Ohio service credit" means credit for service that was 184
rendered to the state or any of its political subdivisions or any 185
employer. 186

(I) "Regular interest" means interest at any rates for the 187
respective funds and accounts as the public employees retirement 188
board may determine from time to time. 189

(J) "Accumulated contributions" means the sum of all amounts 190
credited to a contributor's individual account in the employees' 191
savings fund together with any interest credited to the 192
contributor's account under section 145.471 or 145.472 of the 193
Revised Code. 194

(K)(1) "Final average salary" means the quotient obtained by 195
dividing by three the sum of the three full calendar years of 196
contributing service in which the member's earnable salary was 197
highest, except that if the member has a partial year of 198
contributing service in the year the member's employment 199
terminates and the member's earnable salary for the partial year 200
is higher than for any comparable period in the three years, the 201

member's earnable salary for the partial year shall be substituted 202
for the member's earnable salary for the comparable period during 203
the three years in which the member's earnable salary was lowest. 204

(2) If a member has less than three years of contributing 205
service, the member's final average salary shall be the member's 206
total earnable salary divided by the total number of years, 207
including any fraction of a year, of the member's contributing 208
service. 209

(3) For the purpose of calculating benefits payable to a 210
member qualifying for service credit under division (Z) of this 211
section, "final average salary" means the total earnable salary on 212
which contributions were made divided by the total number of years 213
during which contributions were made, including any fraction of a 214
year. If contributions were made for less than twelve months, 215
"final average salary" means the member's total earnable salary. 216

(L) "Annuity" means payments for life derived from 217
contributions made by a contributor and paid from the annuity and 218
pension reserve fund as provided in this chapter. All annuities 219
shall be paid in twelve equal monthly installments. 220

(M) "Annuity reserve" means the present value, computed upon 221
the basis of the mortality and other tables adopted by the board, 222
of all payments to be made on account of any annuity, or benefit 223
in lieu of any annuity, granted to a retirant as provided in this 224
chapter. 225

(N)(1) "Disability retirement" means retirement as provided 226
in section 145.36 of the Revised Code. 227

(2) "Disability allowance" means an allowance paid on account 228
of disability under section 145.361 of the Revised Code. 229

(3) "Disability benefit" means a benefit paid as disability 230
retirement under section 145.36 of the Revised Code, as a 231
disability allowance under section 145.361 of the Revised Code, or 232

as a disability benefit under section 145.37 of the Revised Code.	233
(4) "Disability benefit recipient" means a member who is receiving a disability benefit.	234 235
(O) "Age and service retirement" means retirement as provided in sections 145.32, 145.33, 145.331, 145.34, 145.37, and 145.46 of the Revised Code.	236 237 238
(P) "Pensions" means annual payments for life derived from contributions made by the employer that at the time of retirement are credited into the annuity and pension reserve fund from the employers' accumulation fund and paid from the annuity and pension reserve fund as provided in this chapter. All pensions shall be paid in twelve equal monthly installments.	239 240 241 242 243 244
(Q) "Retirement allowance" means the pension plus that portion of the benefit derived from contributions made by the member.	245 246 247
(R)(1) Except as otherwise provided in division (R) of this section, "earnable salary" means all salary, wages, and other earnings paid to a contributor by reason of employment in a position covered by the retirement system. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed to the employees' savings fund under section 145.47 of the Revised Code and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes. "Earnable salary" includes the following:	248 249 250 251 252 253 254 255 256 257
(a) Payments made by the employer in lieu of salary, wages, or other earnings for sick leave, personal leave, or vacation used by the contributor;	258 259 260
(b) Payments made by the employer for the conversion of sick leave, personal leave, and vacation leave accrued, but not used if the payment is made during the year in which the leave is accrued,	261 262 263

except that payments made pursuant to section 124.383 or 124.386	264
of the Revised Code are not earnable salary;	265
(c) Allowances paid by the employer for full maintenance,	266
consisting of housing, laundry, and meals, as certified to the	267
retirement board by the employer or the head of the department	268
that employs the contributor;	269
(d) Fees and commissions paid under section 507.09 of the	270
Revised Code;	271
(e) Payments that are made under a disability leave program	272
sponsored by the employer and for which the employer is required	273
by section 145.296 of the Revised Code to make periodic employer	274
and employee contributions;	275
(f) Amounts included pursuant to divisions (K)(3) and (Y) of	276
this section.	277
(2) "Earnable salary" does not include any of the following:	278
(a) Fees and commissions, other than those paid under section	279
507.09 of the Revised Code, paid as sole compensation for personal	280
services and fees and commissions for special services over and	281
above services for which the contributor receives a salary;	282
(b) Amounts paid by the employer to provide life insurance,	283
sickness, accident, endowment, health, medical, hospital, dental,	284
or surgical coverage, or other insurance for the contributor or	285
the contributor's family, or amounts paid by the employer to the	286
contributor in lieu of providing the insurance;	287
(c) Incidental benefits, including lodging, food, laundry,	288
parking, or services furnished by the employer, or use of the	289
employer's property or equipment, or amounts paid by the employer	290
to the contributor in lieu of providing the incidental benefits;	291
(d) Reimbursement for job-related expenses authorized by the	292
employer, including moving and travel expenses and expenses	293

related to professional development;	294
(e) Payments for accrued but unused sick leave, personal leave, or vacation that are made at any time other than in the year in which the sick leave, personal leave, or vacation was accrued;	295 296 297 298
(f) Payments made to or on behalf of a contributor that are in excess of the annual compensation that may be taken into account by the retirement system under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a)(17), as amended;	299 300 301 302 303
(g) Payments made under division (B), (C), or (E) of section 5923.05 of the Revised Code, Section 4 of Substitute Senate Bill No. 3 of the 119th general assembly, Section 3 of Amended Substitute Senate Bill No. 164 of the 124th general assembly, or Amended Substitute House Bill No. 405 of the 124th general assembly;	304 305 306 307 308 309
(h) Anything of value received by the contributor that is based on or attributable to retirement or an agreement to retire, except that payments made on or before January 1, 1989, that are based on or attributable to an agreement to retire shall be included in earnable salary if both of the following apply:	310 311 312 313 314
(i) The payments are made in accordance with contract provisions that were in effect prior to January 1, 1986;	315 316
(ii) The employer pays the retirement system an amount specified by the retirement board equal to the additional liability resulting from the payments.	317 318 319
(3) The retirement board shall determine by rule whether any compensation not enumerated in division (R) of this section is earnable salary, and its decision shall be final.	320 321 322
(S) "Pension reserve" means the present value, computed upon	323

the basis of the mortality and other tables adopted by the board, 324
of all payments to be made on account of any retirement allowance 325
or benefit in lieu of any retirement allowance, granted to a 326
member or beneficiary under this chapter. 327

(T)(1) "Contributing service" means all service credited to a 328
member of the system since January 1, 1935, for which 329
contributions are made as required by sections 145.47, 145.48, and 330
145.483 of the Revised Code. In any year subsequent to 1934, 331
credit for any service shall be allowed by the following formula: 332

(a) For each month for which the member's earnable salary is 333
two hundred fifty dollars or more, allow one month's credit. 334

(b) For each month for which the member's earnable salary is 335
less than two hundred fifty dollars, allow a fraction of a month's 336
credit. The numerator of this fraction shall be the earnable 337
salary during the month, and the denominator shall be two hundred 338
fifty dollars, except that if the member's annual earnable salary 339
is less than six hundred dollars, the member's credit shall not be 340
reduced below twenty per cent of a year for a calendar year of 341
employment during which the member worked each month. Division 342
(T)(1)(b) of this section shall not reduce any credit earned 343
before January 1, 1985. 344

(2) Notwithstanding division (T)(1) of this section, an 345
elected official who prior to January 1, 1980, was granted a full 346
year of credit for each year of service as an elected official 347
shall be considered to have earned a full year of credit for each 348
year of service regardless of whether the service was full-time or 349
part-time. The public employees retirement board has no authority 350
to reduce the credit. 351

(U) "State retirement board" means the public employees 352
retirement board, the school employees retirement board, or the 353
state teachers retirement board. 354

(V) "Retirant" means any former member who retires and is 355
receiving a monthly allowance as provided in sections 145.32, 356
145.33, 145.331, 145.34, and 145.46 of the Revised Code. 357

(W) "Employer contribution" means the amount paid by an 358
employer as determined under section 145.48 of the Revised Code. 359

(X) "Public service terminates" means the last day for which 360
a public employee is compensated for services performed for an 361
employer or the date of the employee's death, whichever occurs 362
first. 363

(Y) When a member has been elected or appointed to an office, 364
the term of which is two or more years, for which an annual salary 365
is established, and in the event that the salary of the office is 366
increased and the member is denied the additional salary by reason 367
of any constitutional provision prohibiting an increase in salary 368
during a term of office, the member may elect to have the amount 369
of the member's contributions calculated upon the basis of the 370
increased salary for the office. At the member's request, the 371
board shall compute the total additional amount the member would 372
have contributed, or the amount by which each of the member's 373
contributions would have increased, had the member received the 374
increased salary for the office the member holds. If the member 375
elects to have the amount by which the member's contribution would 376
have increased withheld from the member's salary, the member shall 377
notify the employer, and the employer shall make the withholding 378
and transmit it to the retirement system. A member who has not 379
elected to have that amount withheld may elect at any time to make 380
a payment to the retirement system equal to the additional amount 381
the member's contribution would have increased, plus interest on 382
that contribution, compounded annually at a rate established by 383
the board and computed from the date on which the last 384
contribution would have been withheld from the member's salary to 385
the date of payment. A member may make a payment for part of the 386

period for which the increased contribution was not withheld, in 387
which case the interest shall be computed from the date the last 388
contribution would have been withheld for the period for which the 389
payment is made. Upon the payment of the increased contributions 390
as provided in this division, the increased annual salary as 391
provided by law for the office for the period for which the member 392
paid increased contributions thereon shall be used in determining 393
the member's earnable salary for the purpose of computing the 394
member's final average salary. 395

(Z) "Five years of service credit," for the exclusive purpose 396
of satisfying the service credit requirements and of determining 397
eligibility for benefits under section 145.33 of the Revised Code, 398
means employment covered under this chapter or under a former 399
retirement plan operated, recognized, or endorsed by the employer 400
prior to coverage under this chapter or under a combination of the 401
coverage. 402

(AA) "Deputy sheriff" means any person who is commissioned 403
and employed as a full-time peace officer by the sheriff of any 404
county, and has been so employed since on or before December 31, 405
1965; any person who is or has been commissioned and employed as a 406
peace officer by the sheriff of any county since January 1, 1966, 407
and who has received a certificate attesting to the person's 408
satisfactory completion of the peace officer training school as 409
required by section 109.77 of the Revised Code; or any person 410
deputized by the sheriff of any county and employed pursuant to 411
section 2301.12 of the Revised Code as a criminal bailiff or court 412
constable who has received a certificate attesting to the person's 413
satisfactory completion of the peace officer training school as 414
required by section 109.77 of the Revised Code. 415

(BB) "Township constable or police officer in a township 416
police department or district" means any person who is 417
commissioned and employed as a full-time peace officer pursuant to 418

Chapter 505. or 509. of the Revised Code, who has received a 419
certificate attesting to the person's satisfactory completion of 420
the peace officer training school as required by section 109.77 of 421
the Revised Code. 422

(CC) "Drug agent" means any person who is either of the 423
following: 424

(1) Employed full time as a narcotics agent by a county 425
narcotics agency created pursuant to section 307.15 of the Revised 426
Code and has received a certificate attesting to the satisfactory 427
completion of the peace officer training school as required by 428
section 109.77 of the Revised Code; 429

(2) Employed full time as an undercover drug agent as defined 430
in section 109.79 of the Revised Code and is in compliance with 431
section 109.77 of the Revised Code. 432

(DD) "Department of public safety enforcement agent" means a 433
full-time employee of the department of public safety who is 434
designated under section 5502.14 of the Revised Code as an 435
enforcement agent and who is in compliance with section 109.77 of 436
the Revised Code. 437

(EE) "Natural resources law enforcement staff officer" means 438
a full-time employee of the department of natural resources who is 439
designated a natural resources law enforcement staff officer under 440
section 1501.013 of the Revised Code and is in compliance with 441
section 109.77 of the Revised Code. 442

(FF) "Park officer" means a full-time employee of the 443
department of natural resources who is designated a park officer 444
under section 1541.10 of the Revised Code and is in compliance 445
with section 109.77 of the Revised Code. 446

(GG) "Forest officer" means a full-time employee of the 447
department of natural resources who is designated a forest officer 448
under section 1503.29 of the Revised Code and is in compliance 449

with section 109.77 of the Revised Code. 450

(HH) "Preserve officer" means a full-time employee of the 451
department of natural resources who is designated a preserve 452
officer under section 1517.10 of the Revised Code and is in 453
compliance with section 109.77 of the Revised Code. 454

(II) "Wildlife officer" means a full-time employee of the 455
department of natural resources who is designated a wildlife 456
officer under section 1531.13 of the Revised Code and is in 457
compliance with section 109.77 of the Revised Code. 458

(JJ) "State watercraft officer" means a full-time employee of 459
the department of natural resources who is designated a state 460
watercraft officer under section 1547.521 of the Revised Code and 461
is in compliance with section 109.77 of the Revised Code. 462

(KK) "Park district police officer" means a full-time 463
employee of a park district who is designated pursuant to section 464
511.232 or 1545.13 of the Revised Code and is in compliance with 465
section 109.77 of the Revised Code. 466

(LL) "Conservancy district officer" means a full-time 467
employee of a conservancy district who is designated pursuant to 468
section 6101.75 of the Revised Code and is in compliance with 469
section 109.77 of the Revised Code. 470

(MM) "Municipal police officer" means a member of the 471
organized police department of a municipal corporation who is 472
employed full time, is in compliance with section 109.77 of the 473
Revised Code, and is not a member of the Ohio police and fire 474
pension fund. 475

(NN) "Veterans' home police officer" means any person who is 476
employed at a veterans' home as a police officer pursuant to 477
section 5907.02 of the Revised Code and is in compliance with 478
section 109.77 of the Revised Code. 479

(OO) "Special police officer for a mental health institution" 480
means any person who is designated as such pursuant to section 481
5119.14 of the Revised Code and is in compliance with section 482
109.77 of the Revised Code. 483

(PP) "Special police officer for an institution for the 484
mentally retarded and developmentally disabled" means any person 485
who is designated as such pursuant to section 5123.13 of the 486
Revised Code and is in compliance with section 109.77 of the 487
Revised Code. 488

(QQ) "State university law enforcement officer" means any 489
person who is employed full time as a state university law 490
enforcement officer pursuant to section 3345.04 of the Revised 491
Code and who is in compliance with section 109.77 of the Revised 492
Code. 493

(RR) "House sergeant at arms" means any person appointed by 494
the speaker of the house of representatives under division (B)(1) 495
of section 101.311 of the Revised Code who has arrest authority 496
under division (E)(1) of that section. 497

(SS) "Assistant house sergeant at arms" means any person 498
appointed by the house sergeant at arms under division (C)(1) of 499
section 101.311 of the Revised Code. 500

(TT) "Regional transit authority police officer" means a 501
person who is employed full time as a regional transit authority 502
police officer under division (Y) of section 306.35 of the Revised 503
Code and is in compliance with section 109.77 of the Revised Code. 504

(UU) "State highway patrol police officer" means a special 505
police officer employed full time and designated by the 506
superintendent of the state highway patrol pursuant to section 507
5503.09 of the Revised Code or a person serving full time as a 508
special police officer pursuant to that section on a permanent 509
basis on October 21, 1997, who is in compliance with section 510

109.77 of the Revised Code. 511

(VV) "Municipal public safety director" means a person who 512
serves full time as the public safety director of a municipal 513
corporation with the duty of directing the activities of the 514
municipal corporation's police department and fire department. 515

(WW) Notwithstanding section 2901.01 of the Revised Code, 516
"PERS law enforcement officer" means a sheriff or any of the 517
following whose primary duties are to preserve the peace, protect 518
life and property, and enforce the laws of this state: a deputy 519
sheriff, township constable or police officer in a township police 520
department or district, drug agent, department of public safety 521
enforcement agent, natural resources law enforcement staff 522
officer, park officer, forest officer, preserve officer, wildlife 523
officer, state watercraft officer, park district police officer, 524
conservancy district officer, veterans' home police officer, 525
special police officer for a mental health institution, special 526
police officer for an institution for the mentally retarded and 527
developmentally disabled, state university law enforcement 528
officer, municipal police officer, house sergeant at arms, 529
assistant house sergeant at arms, regional transit authority 530
police officer, or state highway patrol police officer. PERS law 531
enforcement officer also includes a person serving as a municipal 532
public safety director at any time during the period from 533
September 29, 2005, ~~to the effective date of this amendment~~ March 534
24, 2009, if the duties of that service were to preserve the 535
peace, protect life and property, and enforce the laws of this 536
state. 537

(XX) "Hamilton county municipal court bailiff" means a person 538
appointed by the clerk of courts of the Hamilton county municipal 539
court under division (A)(3) of section 1901.32 of the Revised Code 540
who is employed full time as a bailiff or deputy bailiff, who has 541
received a certificate attesting to the person's satisfactory 542

completion of the peace officer basic training described in 543
division (D)(1) of section 109.77 of the Revised Code. 544

(YY) "PERS public safety officer" means a Hamilton county 545
municipal court bailiff, or any of the following whose primary 546
duties are other than to preserve the peace, protect life and 547
property, and enforce the laws of this state: a deputy sheriff, 548
township constable or police officer in a township police 549
department or district, drug agent, department of public safety 550
enforcement agent, natural resources law enforcement staff 551
officer, park officer, forest officer, preserve officer, wildlife 552
officer, state watercraft officer, park district police officer, 553
conservancy district officer, veterans' home police officer, 554
special police officer for a mental health institution, special 555
police officer for an institution for the mentally retarded and 556
developmentally disabled, state university law enforcement 557
officer, municipal police officer, house sergeant at arms, 558
assistant house sergeant at arms, regional transit authority 559
police officer, or state highway patrol police officer. PERS 560
public safety officer also includes a person serving as a 561
municipal public safety director at any time during the period 562
from September 29, 2005, to ~~the effective date of this amendment~~ 563
March 24, 2009, if the duties of that service were other than to 564
preserve the peace, protect life and property, and enforce the 565
laws of this state. 566

(ZZ) "Fiduciary" means a person who does any of the 567
following: 568

(1) Exercises any discretionary authority or control with 569
respect to the management of the system or with respect to the 570
management or disposition of its assets; 571

(2) Renders investment advice for a fee, direct or indirect, 572
with respect to money or property of the system; 573

(3) Has any discretionary authority or responsibility in the administration of the system. 574
575

(AAA) "Actuary" means an individual who satisfies all of the following requirements: 576
577

(1) Is a member of the American academy of actuaries; 578

(2) Is an associate or fellow of the society of actuaries; 579

(3) Has a minimum of five years' experience in providing actuarial services to public retirement plans. 580
581

(BBB) "PERS defined benefit plan" means the plan described in sections 145.201 to 145.79 of the Revised Code. 582
583

(CCC) "PERS defined contribution plans" means the plan or plans established under section 145.81 of the Revised Code. 584
585

Sec. 145.011. In addition to the membership of the public employees retirement system as prescribed in division (A) of section 145.01 of the Revised Code and notwithstanding Chapter 3309. of the Revised Code, there shall be included in such membership all of the following: 586
587
588
589
590

(A) The nonteaching employees of the Cleveland state university and the ~~northeastern~~ northeast Ohio ~~universities~~ college of medicine medical university; 591
592
593

(B) Any person who elects to transfer from the school employees retirement system to the public employees retirement system under section 3309.312 of the Revised Code; 594
595
596

(C) Any person who is employed full-time on or after September 16, 1998, pursuant to section 3345.04 of the Revised Code by the university of Akron as a state university law enforcement officer. 597
598
599
600

Such employees are included in the definition of member as used in Chapter 145. of the Revised Code. The universities and 601
602

colleges shall be subject to the obligations imposed by Chapter 603
145. of the Revised Code. 604

Sec. 151.04. This section applies to obligations as defined 605
in this section. 606

(A) As used in this section: 607

(1) "Costs of capital facilities" include related direct 608
administrative expenses and allocable portions of direct costs of 609
the using institution. 610

(2) "Obligations" means obligations as defined in section 611
151.01 of the Revised Code issued to pay costs of capital 612
facilities for state-supported or state-assisted institutions of 613
higher education. 614

(3) "State-supported or state-assisted institutions of higher 615
education" means a state university or college, or community 616
college district, technical college district, university branch 617
district, or state community college, or other institution for 618
education, including technical education, beyond the high school, 619
receiving state support or assistance for its expenses of 620
operation. "State university or college" means each of the state 621
universities identified in section 3345.011 of the Revised Code 622
and the ~~northeastern~~ northeast Ohio ~~universities~~ ~~college of~~ 623
~~medicine~~ medical university. 624

(4) "Using institution" means the state-supported or 625
state-assisted institution of higher education, or two or more 626
institutions acting jointly, that are the ultimate users of 627
capital facilities for state-supported and state-assisted 628
institutions of higher education financed with net proceeds of 629
obligations. 630

(B) The issuing authority shall issue obligations to pay 631
costs of capital facilities for state-supported and state-assisted 632

institutions of higher education pursuant to Section 2n of Article 633
VIII, Ohio Constitution, section 151.01 of the Revised Code, and 634
this section. 635

(C) Net proceeds of obligations shall be deposited into the 636
higher education improvement fund created by division (F) of 637
section 154.21 of the Revised Code. 638

(D) There is hereby created in the state treasury the "higher 639
education capital facilities bond service fund." All moneys 640
received by the state and required by the bond proceedings, 641
consistent with sections 151.01 and 151.04 of the Revised Code, to 642
be deposited, transferred, or credited to the bond service fund, 643
and all other moneys transferred or allocated to or received for 644
the purposes of that fund, shall be deposited and credited to the 645
bond service fund, subject to any applicable provisions of the 646
bond proceedings but without necessity for any act of 647
appropriation. During the period beginning with the date of the 648
first issuance of obligations and continuing during the time that 649
any obligations are outstanding in accordance with their terms, so 650
long as moneys in the bond service fund are insufficient to pay 651
debt service when due on those obligations payable from that fund 652
(except the principal amounts of bond anticipation notes payable 653
from the proceeds of renewal notes or bonds anticipated) and due 654
in the particular fiscal year, a sufficient amount of revenues of 655
the state is committed and, without necessity for further act of 656
appropriation, shall be paid to the bond service fund for the 657
purpose of paying that debt service when due. 658

Sec. 154.01. As used in this chapter: 659

(A) "Commission" means the Ohio public facilities commission 660
created in section 151.02 of the Revised Code. 661

(B) "Obligations" means bonds, notes, or other evidences of 662
obligation, including interest coupons pertaining thereto, issued 663

pursuant to Chapter 154. of the Revised Code. 664

(C) "Bond proceedings" means the order or orders, resolution 665
or resolutions, trust agreement, indenture, lease, and other 666
agreements, amendments and supplements to the foregoing, or any 667
combination thereof, authorizing or providing for the terms and 668
conditions applicable to, or providing for the security of, 669
obligations issued pursuant to Chapter 154. of the Revised Code, 670
and the provisions contained in such obligations. 671

(D) "State agencies" means the state of Ohio and officers, 672
boards, commissions, departments, divisions, or other units or 673
agencies of the state. 674

(E) "Governmental agency" means state agencies, state 675
supported and assisted institutions of higher education, municipal 676
corporations, counties, townships, school districts, and any other 677
political subdivision or special district in this state 678
established pursuant to law, and, except where otherwise 679
indicated, also means the United States or any department, 680
division, or agency thereof, and any agency, commission, or 681
authority established pursuant to an interstate compact or 682
agreement. 683

(F) "Institutions of higher education" and "state supported 684
or state assisted institutions of higher education" means the 685
state universities identified in section 3345.011 of the Revised 686
Code, the ~~northeastern~~ northeast Ohio ~~universities~~ ~~college of~~ 687
~~medicine~~ medical university, state universities or colleges at any 688
time created, community college districts, university branch 689
districts, and technical college districts at any time established 690
or operating under Chapter 3354., 3355., or 3357. of the Revised 691
Code, and other institutions for education, including technical 692
education, beyond the high school, receiving state support or 693
assistance for their expenses of operation. 694

(G) "Governing body" means: 695

(1) In the case of institutions of higher education, the 696
board of trustees, board of directors, commission, or other body 697
vested by law with the general management, conduct, and control of 698
one or more institutions of higher education; 699

(2) In the case of a county, the board of county 700
commissioners or other legislative body; in the case of a 701
municipal corporation, the council or other legislative body; in 702
the case of a township, the board of township trustees; in the 703
case of a school district, the board of education; 704

(3) In the case of any other governmental agency, the 705
officer, board, commission, authority or other body having the 706
general management thereof or having jurisdiction or authority in 707
the particular circumstances. 708

(H) "Person" means any person, firm, partnership, 709
association, or corporation. 710

(I) "Bond service charges" means principal, including 711
mandatory sinking fund requirements for retirement of obligations, 712
and interest, and redemption premium, if any, required to be paid 713
by the state on obligations. If not prohibited by the applicable 714
bond proceedings, bond service charges may include costs relating 715
to credit enhancement facilities that are related to and 716
represent, or are intended to provide a source of payment of or 717
limitation on, other bond service charges. 718

(J) "Capital facilities" means buildings, structures, and 719
other improvements, and equipment, real estate, and interests in 720
real estate therefor, within the state, and any one, part of, or 721
combination of the foregoing, to serve the general purposes for 722
which the issuing authority is authorized to issue obligations 723
pursuant to Chapter 154. of the Revised Code, including, but not 724
limited to, drives, roadways, parking facilities, walks, lighting, 725

machinery, furnishings, utilities, landscaping, wharves, docks, 726
piers, reservoirs, dams, tunnels, bridges, retaining walls, 727
riprap, culverts, ditches, channels, watercourses, retention 728
basins, standpipes and water storage facilities, waste treatment 729
and disposal facilities, heating, air conditioning and 730
communications facilities, inns, lodges, cabins, camping sites, 731
golf courses, boat and bathing facilities, athletic and 732
recreational facilities, and site improvements. 733

(K) "Costs of capital facilities" means the costs of 734
acquiring, constructing, reconstructing, rehabilitating, 735
remodeling, renovating, enlarging, improving, equipping, or 736
furnishing capital facilities, and the financing thereof, 737
including the cost of clearance and preparation of the site and of 738
any land to be used in connection with capital facilities, the 739
cost of any indemnity and surety bonds and premiums on insurance, 740
all related direct administrative expenses and allocable portions 741
of direct costs of the commission or issuing authority and 742
department of administrative services, or other designees of the 743
commission under section 154.17 of the Revised Code, cost of 744
engineering and architectural services, designs, plans, 745
specifications, surveys, and estimates of cost, legal fees, fees 746
and expenses of trustees, depositories, and paying agents for the 747
obligations, cost of issuance of the obligations and financing 748
charges and fees and expenses of financial advisers and 749
consultants in connection therewith, interest on obligations from 750
the date thereof to the time when interest is to be covered from 751
sources other than proceeds of obligations, amounts necessary to 752
establish reserves as required by the bond proceedings, costs of 753
audits, the reimbursement of all moneys advanced or applied by or 754
borrowed from any governmental agency, whether to or by the 755
commission or others, from whatever source provided, for the 756
payment of any item or items of cost of the capital facilities, 757
any share of the cost undertaken by the commission pursuant to 758

arrangements made with governmental agencies under division (H) of 759
section 154.06 of the Revised Code, and all other expenses 760
necessary or incident to planning or determining feasibility or 761
practicability with respect to capital facilities, and such other 762
expenses as may be necessary or incident to the acquisition, 763
construction, reconstruction, rehabilitation, remodeling, 764
renovation, enlargement, improvement, equipment, and furnishing of 765
capital facilities, the financing thereof and the placing of the 766
same in use and operation, including any one, part of, or 767
combination of such classes of costs and expenses. 768

(L) "Public service facilities" means inns, lodges, hotels, 769
cabins, camping sites, scenic trails, picnic sites, restaurants, 770
commissaries, golf courses, boating and bathing facilities and 771
other similar facilities in state parks. 772

(M) "State parks" means: 773

(1) State reservoirs described and identified in section 774
1541.06 of the Revised Code; 775

(2) All lands or interests therein of the state identified as 776
administered by the division of parks and recreation in the 777
"inventory of state owned lands administered by the department of 778
natural resources as of June 1, 1963," as recorded in the journal 779
of the director, which inventory was prepared by the real estate 780
section of the department and is supported by maps now on file in 781
said real estate section; 782

(3) All lands or interests in lands of the state designated 783
after June 1, 1963, as state parks in the journal of the director 784
with the approval of the recreation and resources council. 785

State parks do not include any lands or interest in lands of 786
the state administered jointly by two or more divisions of the 787
department of natural resources. The designation of lands as state 788
parks under divisions (M)(1) to (3) of this section is conclusive 789

and such lands shall be under the control of and administered by 790
the division of parks and recreation. No order or proceeding 791
designating lands as state parks or park purchase areas is subject 792
to any appeal or review by any officer, board, commission, or 793
court. 794

(N) "Bond service fund" means the applicable fund created for 795
and pledged to the payment of bond service charges under section 796
154.20, 154.21, 154.22, or 154.23 of the Revised Code, including 797
all moneys and investments, and earnings from investments, 798
credited and to be credited thereto. 799

(O) "Improvement fund" means the applicable fund created for 800
the payment of costs of capital facilities under section 154.20, 801
154.21, 154.22, or 3383.09 of the Revised Code, including all 802
moneys and investments, and earnings from investments, credited 803
and to be credited thereto. 804

(P) "Special funds" or "funds" means, except where the 805
context does not permit, the bond service funds, the improvements 806
funds, and any other funds for similar or different purposes 807
created under bond proceedings, including all moneys and 808
investments, and earnings from investments, credited and to be 809
credited thereto. 810

(Q) "Year" unless the context indicates a different meaning 811
or intent, means a calendar year beginning on the first day of 812
January and ending on the thirty-first day of December. 813

(R) "Fiscal year" means the period of twelve months beginning 814
on the first day of July and ending on the thirtieth day of June. 815

(S) "Issuing authority" means the treasurer of state or the 816
officer or employee who by law performs the functions of that 817
office. 818

(T) "Credit enhancement facilities" has the same meaning as 819
in section 133.01 of the Revised Code. 820

(U) "Ohio cultural facility" and "Ohio sports facility" have 821
the same meanings as in section 3383.01 of the Revised Code. 822

Sec. 185.03. (A) The patient centered medical home education 823
advisory group is hereby created for the purpose of implementing 824
and administering the patient centered medical home pilot project. 825
The advisory group shall develop a set of expected outcomes for 826
the pilot project. 827

(B) The advisory group shall consist of the following voting 828
members: 829

(1) One individual with expertise in the training and 830
education of primary care physicians who is appointed by the dean 831
of the university of Toledo college of medicine; 832

(2) One individual with expertise in the training and 833
education of primary care physicians who is appointed by the dean 834
of the Boonshoft school of medicine at Wright state university; 835

(3) One individual with expertise in the training and 836
education of primary care physicians who is appointed by the 837
president and dean of the ~~northeastern~~ northeast Ohio ~~universities~~ 838
~~colleges of medicine and pharmacy~~ medical university; 839

(4) One individual with expertise in the training and 840
education of primary care physicians who is appointed by the dean 841
of the Ohio university college of osteopathic medicine; 842

(5) Two individuals appointed by the governing board of the 843
Ohio academy of family physicians; 844

(6) One individual appointed by the governing board of the 845
Ohio chapter of the American college of physicians; 846

(7) One individual appointed by the governing board of the 847
American academy of pediatrics; 848

(8) One individual appointed by the governing board of the 849

Ohio osteopathic association;	850
(9) One individual with expertise in the training and education of advanced practice nurses who is appointed by the governing board of the Ohio council of deans and directors of baccalaureate and higher degree programs in nursing;	851 852 853 854
(10) One individual appointed by the governing board of the Ohio nurses association;	855 856
(11) One individual appointed by the governing board of the Ohio association of advanced practice nurses;	857 858
(12) A member of the health care coverage and quality council, other than the advisory group member specified in division (C)(2) of this section, appointed by the superintendent of insurance.	859 860 861 862
(C) The advisory group shall consist of the following nonvoting, ex officio members:	863 864
(1) The executive director of the state medical board, or the director's designee;	865 866
(2) The executive director of the board of nursing or the director's designee;	867 868
(3) The chancellor of the Ohio board of regents, or the chancellor's designee;	869 870
(4) The individual within the department of job and family services who serves as the director of medicaid, or the director's designee;	871 872 873
(5) The director of health or the director's designee.	874
(D) Advisory group members who are appointed shall serve at the pleasure of their appointing authorities. Terms of office of appointed members shall be three years, except that a member's term ends if the pilot project ceases operation during the member's term.	875 876 877 878 879

Vacancies shall be filled in the manner provided for original 880
appointments. 881

Members shall serve without compensation, except to the 882
extent that serving on the advisory group is considered part of 883
their regular employment duties. 884

(E) The advisory group shall select from among its members a 885
chairperson and vice-chairperson. The advisory group may select 886
any other officers it considers necessary to conduct its business. 887

A majority of the members of the advisory group constitutes a 888
quorum for the transaction of official business. A majority of a 889
quorum is necessary for the advisory group to take any action, 890
except that when one or more members of a quorum are required to 891
abstain from voting as provided in division (C)(1)(d) or (C)(2)(c) 892
of section 185.05 of the Revised Code, the number of members 893
necessary for a majority of a quorum shall be reduced accordingly. 894

The advisory group shall meet as necessary to fulfill its 895
duties. The times and places for the meetings shall be selected by 896
the chairperson. 897

(F) Sections 101.82 to 101.87 of the Revised Code do not 898
apply to the advisory group. 899

Sec. 185.05. (A) The patient centered medical home education 900
advisory group shall accept applications for inclusion in the 901
patient centered medical home education pilot project from primary 902
care practices with educational affiliations, as determined by the 903
advisory group, with one or more of the following: 904

(1) The Boonshoft school of medicine at Wright state 905
university; 906

(2) The university of Toledo college of medicine; 907

(3) The ~~northeastern~~ northeast Ohio ~~universities colleges of~~ 908
~~medicine and pharmacy~~ medical university; 909

(4) The Ohio university college of osteopathic medicine;	910
(5) The college of nursing at the university of Toledo;	911
(6) The Wright state university college of nursing and health;	912 913
(7) The college of nursing at Kent state university;	914
(8) The university of Akron college of nursing;	915
(9) The school of nursing at Ohio university.	916
(B)(1) Subject to division (C)(1) of this section, the advisory group shall select for inclusion in the pilot project not more than the following number of physician practices:	917 918 919
(a) Ten practices affiliated with the Boonshoft school of medicine at Wright state university;	920 921
(b) Ten practices affiliated with the university of Toledo college of medicine;	922 923
(c) Ten practices affiliated with the northeastern <u>northeast</u> Ohio universities colleges of medicine and pharmacy <u>medical</u> <u>university</u> ;	924 925 926
(d) Ten practices affiliated with the centers for osteopathic research and education of the Ohio university college of osteopathic medicine.	927 928 929
(2) Subject to division (C)(2) of this section, the advisory group shall select for inclusion in the pilot project not less than the following number of advanced practice nurse primary care practices:	930 931 932 933
(a) One practice affiliated with the college of nursing at the university of Toledo;	934 935
(b) One practice affiliated with the Wright state university college of nursing and health;	936 937
(c) One practice affiliated with the college of nursing at	938

Kent state university or the university of Akron college of nursing; 939
940

(d) One practice affiliated with the school of nursing at Ohio university. 941
942

(C)(1) All of the following apply with respect to the selection of physician practices under division (B) of this section: 943
944
945

(a) The advisory group shall strive to select physician practices in such a manner that the pilot project includes a diverse range of primary care specialties, including practices specializing in pediatrics, geriatrics, general internal medicine, or family medicine. 946
947
948
949
950

(b) When evaluating an application, the advisory group shall consider the percentage of patients in the physician practice who are part of a medically underserved population, including medicaid recipients and individuals without health insurance. 951
952
953
954

(c) The advisory group shall select not fewer than six practices that serve rural areas of this state, as those areas are determined by the advisory group. 955
956
957

(d) A member of the advisory group shall abstain from participating in any vote taken regarding the selection of a physician practice if the member would receive any financial benefit from having the practice included in the pilot project. 958
959
960
961

(2) All of the following apply with respect to the selection of advanced practice nurse primary care practices under division (B) of this section: 962
963
964

(a) When evaluating an application, the advisory group shall consider the percentage of patients in the advanced practice nurse primary care practice who are part of a medically underserved population, including medicaid recipients and individuals without 965
966
967
968

health insurance. 969

(b) If the advisory group determines that it has not received 970
an application from a sufficiently qualified advanced practice 971
nurse primary care practice affiliated with a particular 972
institution specified in division (B)(2) of this section, the 973
advisory group shall make the selections required under that 974
division in such a manner that the greatest possible number of 975
those institutions are represented in the pilot project. To be 976
selected in this manner, a practice remains subject to the 977
eligibility requirements specified in division (B) of section 978
185.06 of the Revised Code. As specified in division (B)(2) of 979
this section, the number of practices selected for inclusion in 980
the pilot project shall be at least four. 981

(c) A member of the advisory group shall abstain from 982
participating in any vote taken regarding the selection of an 983
advanced practice nurse primary care practice if the member would 984
receive any financial benefit from having the practice included in 985
the pilot project. 986

Sec. 3304.30. Every person in charge of governmental property 987
to be substantially renovated or who is responsible for the 988
acquisition, lease, or rental of such property shall consult with 989
the director of the bureau of services for the visually impaired 990
prior to such renovation, acquisition, lease, or rental to 991
determine if sufficient numbers of persons will be using such 992
property to support a suitable vending facility. If the director 993
determines that such property would be a satisfactory site for a 994
suitable vending facility, provision shall be made for electrical 995
outlets, plumbing fixtures, and other requirements for the 996
installation and operation of a suitable vending facility. In the 997
case of a state university, ~~college of medicine~~ medical 998
university, technical college, state community college, community 999

college, university branch district, or state-affiliated college 1000
or university, the decision to establish a suitable vending 1001
facility shall be made jointly by the director of services for the 1002
visually impaired and proper administrative authorities of the 1003
state or state-affiliated college or university. 1004

The bureau shall provide each suitable vending facility with 1005
equipment and an adequate initial stock of suitable articles to be 1006
vended. An inventory shall be made of each suitable vending 1007
facility at least once every six months. Each blind licensee may 1008
make ~~his~~ the blind licensee's own inventory on forms prescribed by 1009
the bureau, provided that the bureau shall retain the right to 1010
make its own inventory at any mutually agreeable time. Each blind 1011
licensee may employ and discharge personnel required to operate 1012
~~his~~ the blind licensee's vending facility, but employment 1013
preference shall be given to blind persons capable of discharging 1014
the required duties, and at all times at least one-half of the 1015
employees shall be blind. 1016

Sec. 3305.01. As used in this chapter: 1017

(A) "Public institution of higher education" means a state 1018
university as defined in section 3345.011 of the Revised Code, the 1019
~~northeastern northeast Ohio universities college of medicine~~ 1020
medical university, or a university branch, technical college, 1021
state community college, community college, or municipal 1022
university established or operating under Chapter 3345., 3349., 1023
3354., 3355., 3357., or 3358. of the Revised Code. 1024

(B) "State retirement system" means the public employees 1025
retirement system created under Chapter 145. of the Revised Code, 1026
the state teachers retirement system created under Chapter 3307. 1027
of the Revised Code, or the school employees retirement system 1028
created under Chapter 3309. of the Revised Code. 1029

(C) "Eligible employee" means any person employed as a 1030

full-time employee of a public institution of higher education. 1031

In all cases of doubt, the board of trustees of the public 1032
institution of higher education shall determine whether any person 1033
is an eligible employee for purposes of this chapter, and the 1034
board's decision shall be final. 1035

(D) "Electing employee" means any eligible employee who 1036
elects, pursuant to section 3305.05 or 3305.051 of the Revised 1037
Code, to participate in an alternative retirement plan provided 1038
pursuant to this chapter or an eligible employee who is required 1039
to participate in an alternative retirement plan pursuant to 1040
division (C)(4) of section 3305.05 or division (F) of section 1041
3305.051 of the Revised Code. 1042

(E) "Compensation," for purposes of an electing employee, has 1043
the same meaning as the applicable one of the following: 1044

(1) If the electing employee would be subject to Chapter 145. 1045
of the Revised Code had the employee not made an election pursuant 1046
to section 3305.05 or 3305.051 of the Revised Code, "earnable 1047
salary" as defined in division (R) of section 145.01 of the 1048
Revised Code; 1049

(2) If the electing employee would be subject to Chapter 1050
3307. of the Revised Code had the employee not made an election 1051
pursuant to section 3305.05 or 3305.051 of the Revised Code, 1052
"compensation" as defined in division (L) of section 3307.01 of 1053
the Revised Code; 1054

(3) If the electing employee would be subject to Chapter 1055
3309. of the Revised Code had the employee not made an election 1056
pursuant to section 3305.05 or 3305.051 of the Revised Code, 1057
"compensation" as defined in division (V) of section 3309.01 of 1058
the Revised Code. 1059

(F) "Provider" means an entity designated under section 1060
3305.03 of the Revised Code as a provider of investment options 1061

for an alternative retirement plan. 1062

Sec. 3333.045. As used in this section, "state university or 1063
college" means any state university listed in section 3345.011 of 1064
the Revised Code, the ~~northeastern northeast~~ Ohio ~~universities~~ 1065
~~college of medicine~~ medical university, any community college 1066
under Chapter 3354. of the Revised Code, any university branch 1067
district under Chapter 3355. of the Revised Code, any technical 1068
college under Chapter 3357. of the Revised Code, and any state 1069
community college under Chapter 3358. of the Revised Code. 1070

The chancellor of the Ohio board of regents shall work with 1071
the attorney general, the auditor of state, and the Ohio ethics 1072
commission to develop a model for training members of the boards 1073
of trustees of all state universities and colleges and members of 1074
the board of regents regarding the authority and responsibilities 1075
of a board of trustees or the board of regents. This model shall 1076
include a review of fiduciary responsibilities, ethics, and fiscal 1077
management. Use of this model by members of boards of trustees and 1078
the board of regents shall be voluntary. 1079

Sec. 3333.11. Each school or college of medicine or medical 1080
university supported in whole or in part by the state shall create 1081
a curriculum for and maintain a department of family practice, the 1082
purpose of which shall be to acquaint undergraduates with and to 1083
train postgraduate physicians for the practice of family medicine. 1084
The minimum requirements for the department shall include courses 1085
of study in family care, including clinical experience, a program 1086
of preceptorships, and a program of family practice residencies in 1087
university or other hospital settings. 1088

Each program of family practice shall: 1089

(A) Be designated to advance the field of family practice; 1090

(B) Educate all medical students in family practice and 1091

encourage students to enter it as a career; 1092

(C) Provide students an opportunity to study family practice 1093
in various situations through preceptorships, seminars, model 1094
family practice units within the medical school, classroom work, 1095
hospital programs, or other means; 1096

(D) Develop residency and other training programs for family 1097
practice in public and private hospitals, including those in 1098
nonmetropolitan areas of the state; 1099

(E) The department shall be a full department co-equal with 1100
all other major clinical departments and headed by a qualified 1101
experienced family practitioner serving as chairperson of the 1102
department of family practice and director of the family practice 1103
residency program. 1104

Funds appropriated by the general assembly in support of 1105
family practice programs shall not be disbursed until the 1106
chancellor of the Ohio board of regents has certified that the 1107
intent and requirements of this section are being met. 1108

Sec. 3333.111. Each school or college of medicine or medical 1109
university supported in whole or in part by the state shall create 1110
an office of geriatric medicine within a department to be 1111
designated by the dean of the school or college of medicine or 1112
medical university, or, in lieu thereof, may establish a separate 1113
department of geriatric medicine. The dean of the school or 1114
college of medicine or medical university shall designate a member 1115
of the medical school ~~or medical~~, college, or university faculty 1116
to establish the office or department, which shall be responsible 1117
for incorporating subject matter relating to geriatric medicine 1118
into existing courses, arranging courses which relate to geriatric 1119
medicine in sequence, and establishing courses in geriatric 1120
medicine wherever appropriate, subject to approval of the dean ~~of~~ 1121
~~the school or college of medicine~~. In addition, the office or 1122

department of geriatric medicine shall provide clinical and 1123
research experience where it is considered to be necessary and 1124
appropriate. 1125

Sec. 3333.611. (A) All of the following individuals shall 1126
jointly develop a proposal for the creation of a primary care 1127
medical student component of the choose Ohio first scholarship 1128
program operated under section 3333.61 of the Revised Code under 1129
which scholarships are annually made available and awarded to 1130
medical students who meet the requirements specified in division 1131
(D) of this section: 1132

(1) The dean of the Ohio state university school of medicine; 1133

(2) The dean of the Case western reserve university school of 1134
medicine; 1135

(3) The dean of the university of Toledo college of medicine; 1136

(4) The president and dean of the ~~northeastern~~ northeast Ohio 1137
~~universities colleges of medicine and pharmacy~~ medical university; 1138

(5) The dean of the university of Cincinnati college of 1139
medicine; 1140

(6) The dean of the Boonshoft school of medicine at Wright 1141
state university; 1142

(7) The dean of the Ohio university college of osteopathic 1143
medicine. 1144

(B) The individuals specified in division (A) of this section 1145
shall consider including the following provisions in the proposal: 1146

(1) Establishing a scholarship of sufficient size to permit 1147
annually not more than fifty medical students to receive 1148
scholarships; 1149

(2) Specifying that a scholarship, once granted, may be 1150
provided to a medical student for not more than four years. 1151

(C) The individuals specified in division (A) of this section shall submit the proposal for the component to the chancellor of the Ohio board of regents not later than ~~six months after the effective date of this section~~ March 6, 2011. The chancellor shall review the proposal and determine whether to implement the component as part of the program.

(D) To be eligible for a scholarship made available under the component, a medical student shall meet all of the following requirements:

(1) Participate in identified patient centered medical home model training opportunities during medical school;

(2) Commit to a post-residency primary care practice in this state for not less than three years;

(3) Accept medicaid recipients as patients, without restriction and, as compared to other patients, in a proportion that is specified in the scholarship.

Sec. 3334.01. As used in this chapter:

(A) "Aggregate original principal amount" means the aggregate of the initial offering prices to the public of college savings bonds, exclusive of accrued interest, if any. "Aggregate original principal amount" does not mean the aggregate accreted amount payable at maturity or redemption of such bonds.

(B) "Beneficiary" means:

(1) An individual designated by the purchaser under a tuition payment contract or through a scholarship program as the individual on whose behalf tuition units purchased under the contract or awarded through the scholarship program will be applied toward the payment of undergraduate, graduate, or professional tuition; or

(2) An individual designated by the contributor under a

variable college savings program contract as the individual whose 1182
tuition and other higher education expenses will be paid from a 1183
variable college savings program account. 1184

(C) "Capital appreciation bond" means a bond for which the 1185
following is true: 1186

(1) The principal amount is less than the amount payable at 1187
maturity or early redemption; and 1188

(2) No interest is payable on a current basis. 1189

(D) "Tuition unit" means a credit of the Ohio tuition trust 1190
authority purchased under section 3334.09 of the Revised Code. 1191
"Tuition unit" includes a tuition credit purchased prior to July 1192
1, 1994. 1193

(E) "College savings bonds" means revenue and other 1194
obligations issued on behalf of the state or any agency or issuing 1195
authority thereof as a zero-coupon or capital appreciation bond, 1196
and designated as college savings bonds as provided in this 1197
chapter. "College savings bond issue" means any issue of bonds of 1198
which any part has been designated as college savings bonds. 1199

(F) "Institution of higher education" means a state 1200
institution of higher education, a private college, university, or 1201
other postsecondary institution located in this state that 1202
possesses a certificate of authorization issued ~~by the Ohio board~~ 1203
~~of regents~~ pursuant to Chapter 1713. of the Revised Code or a 1204
certificate of registration issued by the state board of career 1205
colleges and schools under Chapter 3332. of the Revised Code, or 1206
an accredited college, university, or other postsecondary 1207
institution located outside this state that is accredited by an 1208
accrediting organization or professional association recognized by 1209
the authority. To be considered an institution of higher 1210
education, an institution shall meet the definition of an eligible 1211
educational institution under section 529 of the Internal Revenue 1212

Code. 1213

(G) "Issuing authority" means any authority, commission, 1214
body, agency, or individual empowered by the Ohio Constitution or 1215
the Revised Code to issue bonds or any other debt obligation of 1216
the state or any agency or department thereof. "Issuer" means the 1217
issuing authority or, if so designated under division (B) of 1218
section 3334.04 of the Revised Code, the treasurer of state. 1219

(H) "Tuition" means the charges imposed to attend an 1220
institution of higher education as an undergraduate, graduate, or 1221
professional student and all fees required as a condition of 1222
enrollment, as determined by the Ohio tuition trust authority. 1223
"Tuition" does not include laboratory fees, room and board, or 1224
other similar fees and charges. 1225

(I) "Weighted average tuition" means the tuition cost 1226
resulting from the following calculation: 1227

(1) Add the products of the annual undergraduate tuition 1228
charged to Ohio residents at each four-year state university 1229
multiplied by that institution's total number of undergraduate 1230
fiscal year equated students; and 1231

(2) Divide the gross total of the products from division 1232
(I)(1) of this section by the total number of undergraduate fiscal 1233
year equated students attending four-year state universities. 1234

When making this calculation, the "annual undergraduate 1235
tuition charged to Ohio residents" shall not incorporate any 1236
tuition reductions that vary in amount among individual recipients 1237
and that are awarded to Ohio residents based upon their particular 1238
circumstances, beyond any minimum amount awarded uniformly to all 1239
Ohio residents. In addition, any tuition reductions awarded 1240
uniformly to all Ohio residents shall be incorporated into this 1241
calculation. 1242

(J) "Zero-coupon bond" means a bond which has a stated 1243

interest rate of zero per cent and on which no interest is payable 1244
until the maturity or early redemption of the bond, and is offered 1245
at a substantial discount from its original stated principal 1246
amount. 1247

(K) "State institution of higher education" includes the 1248
state universities listed in section 3345.011 of the Revised Code, 1249
community colleges created pursuant to Chapter 3354. of the 1250
Revised Code, university branches created pursuant to Chapter 1251
3355. of the Revised Code, technical colleges created pursuant to 1252
Chapter 3357. of the Revised Code, state community colleges 1253
created pursuant to Chapter 3358. of the Revised Code, and the 1254
~~northeastern northeast Ohio universities college of medicine~~ 1255
medical university. 1256

(L) "Four-year state university" means those state 1257
universities listed in section 3345.011 of the Revised Code. 1258

(M) "Principal amount" refers to the initial offering price 1259
to the public of an obligation, exclusive of the accrued interest, 1260
if any. "Principal amount" does not refer to the aggregate 1261
accrued amount payable at maturity or redemption of an 1262
obligation. 1263

(N) "Scholarship program" means a program registered with the 1264
Ohio tuition trust authority pursuant to section 3334.17 of the 1265
Revised Code. 1266

(O) "Internal Revenue Code" means the "Internal Revenue Code 1267
of 1986," 100 Stat. 2085, 26 U.S.C.A. 1 et seq., as amended. 1268

(P) "Other higher education expenses" means room and board 1269
and books, supplies, equipment, and nontuition-related fees 1270
associated with the cost of attendance of a beneficiary at an 1271
institution of higher education, but only to the extent that such 1272
expenses meet the definition of "qualified higher education 1273
expenses" under section 529 of the Internal Revenue Code. "Other 1274

higher education expenses" does not include tuition as defined in 1275
division (H) of this section. 1276

(Q) "Purchaser" means the person signing the tuition payment 1277
contract, who controls the account and acquires tuition units for 1278
an account under the terms and conditions of the contract. 1279

(R) "Contributor" means a person who signs a variable college 1280
savings program contract with the Ohio tuition trust authority and 1281
contributes to and owns the account created under the contract. 1282

(S) "Contribution" means any payment directly allocated to an 1283
account for the benefit of the designated beneficiary of the 1284
account. 1285

Sec. 3345.04. (A) As used in this section, "felony" has the 1286
same meaning as in section 109.511 of the Revised Code. 1287

(B) Subject to division (C) of this section, the board of 1288
trustees of a state university, the board of trustees of the 1289
~~northeastern northeast Ohio universities college of medicine~~ 1290
medical university, the board of trustees of a state community 1291
college, and the board of trustees of a technical college or 1292
community college district operating a technical or a community 1293
college may designate one or more employees of the institution, as 1294
a state university law enforcement officer, in accordance with 1295
section 109.77 of the Revised Code, and, as state university law 1296
enforcement officers, those employees shall take an oath of 1297
office, wear the badge of office, serve as peace officers for the 1298
college or university, and give bond to the state for the proper 1299
and faithful discharge of their duties in the amount that the 1300
board of trustees requires. 1301

(C)(1) The board of trustees of an institution listed in 1302
division (B) of this section shall not designate an employee of 1303
the institution as a state university law enforcement officer 1304

pursuant to that division on a permanent basis, on a temporary 1305
basis, for a probationary term, or on other than a permanent basis 1306
if the employee previously has been convicted of or has pleaded 1307
guilty to a felony. 1308

(2)(a) The board of trustees shall terminate the employment 1309
as a state university law enforcement officer of an employee 1310
designated as a state university law enforcement officer under 1311
division (B) of this section if that employee does either of the 1312
following: 1313

(i) Pleads guilty to a felony; 1314

(ii) Pleads guilty to a misdemeanor pursuant to a negotiated 1315
plea agreement as provided in division (D) of section 2929.43 of 1316
the Revised Code in which the employee agrees to surrender the 1317
certificate awarded to the employee under section 109.77 of the 1318
Revised Code. 1319

(b) The board of trustees shall suspend from employment as a 1320
state university law enforcement officer an employee designated as 1321
a state university law enforcement officer under division (B) of 1322
this section if that employee is convicted, after trial, of a 1323
felony. If the state university law enforcement officer files an 1324
appeal from that conviction and the conviction is upheld by the 1325
highest court to which the appeal is taken or if the state 1326
university law enforcement officer does not file a timely appeal, 1327
the board of trustees shall terminate the employment of that state 1328
university law enforcement officer. If the state university law 1329
enforcement officer files an appeal that results in that officer's 1330
acquittal of the felony or conviction of a misdemeanor, or in the 1331
dismissal of the felony charge against that officer, the board of 1332
trustees shall reinstate that state university law enforcement 1333
officer. A state university law enforcement officer who is 1334
reinstated under division (C)(2)(b) of this section shall not 1335
receive any back pay unless that officer's conviction of the 1336

felony was reversed on appeal, or the felony charge was dismissed, 1337
because the court found insufficient evidence to convict the 1338
officer of the felony. 1339

(3) Division (C) of this section does not apply regarding an 1340
offense that was committed prior to January 1, 1997. 1341

(4) The suspension from employment, or the termination of the 1342
employment, of a state university law enforcement officer under 1343
division (C)(2) of this section shall be in accordance with 1344
Chapter 119. of the Revised Code. 1345

Sec. 3345.12. (A) As used in this section and sections 1346
3345.07 and 3345.11 of the Revised Code, in other sections of the 1347
Revised Code that make reference to this section unless the 1348
context does not permit, and in related bond proceedings unless 1349
otherwise expressly provided: 1350

(1) "State university or college" means each of the state 1351
universities identified in section 3345.011 of the Revised Code 1352
and the ~~northeastern~~ northeast Ohio ~~universities~~ ~~college of~~ 1353
~~medicine~~ medical university, and includes its board of trustees. 1354

(2) "Institution of higher education" or "institution" means 1355
a state university or college, or a community college district, 1356
technical college district, university branch district, or state 1357
community college, and includes the applicable board of trustees 1358
or, in the case of a university branch district, any other 1359
managing authority. 1360

(3) "Housing and dining facilities" means buildings, 1361
structures, and other improvements, and equipment, real estate, 1362
and interests in real estate therefor, to be used for or in 1363
connection with dormitories or other living quarters and 1364
accommodations, or related dining halls or other food service and 1365
preparation facilities, for students, members of the faculty, 1366

officers, or employees of the institution of higher education, and 1367
their spouses and families. 1368

(4) "Auxiliary facilities" means buildings, structures, and 1369
other improvements, and equipment, real estate, and interests in 1370
real estate therefor, to be used for or in connection with student 1371
activity or student service facilities, housing and dining 1372
facilities, dining halls, and other food service and preparation 1373
facilities, vehicular parking facilities, bookstores, athletic and 1374
recreational facilities, faculty centers, auditoriums, assembly 1375
and exhibition halls, hospitals, infirmaries and other medical and 1376
health facilities, research, and continuing education facilities. 1377

(5) "Education facilities" means buildings, structures, and 1378
other improvements, and equipment, real estate, and interests in 1379
real estate therefor, to be used for or in connection with, 1380
classrooms or other instructional facilities, libraries, 1381
administrative and office facilities, and other facilities, other 1382
than auxiliary facilities, to be used directly or indirectly for 1383
or in connection with the conduct of the institution of higher 1384
education. 1385

(6) "Facilities" means housing and dining facilities, 1386
auxiliary facilities, or education facilities, and includes any 1387
one, part of, or any combination of such facilities, and further 1388
includes site improvements, utilities, machinery, furnishings, and 1389
any separate or connected buildings, structures, improvements, 1390
sites, open space and green space areas, utilities or equipment to 1391
be used in, or in connection with the operation or maintenance of, 1392
or supplementing or otherwise related to the services or 1393
facilities to be provided by, such facilities. 1394

(7) "Obligations" means bonds or notes or other evidences of 1395
obligation, including interest coupons pertaining thereto, 1396
authorized to be issued under this section or section 3345.07, 1397
3345.11, 3354.121, 3355.091, 3357.112, or 3358.10 of the Revised 1398

Code.	1399
(8) "Bond service charges" means principal, including any	1400
mandatory sinking fund or redemption requirements for the	1401
retirement of obligations or assurances, interest, or interest	1402
equivalent and other accreted amounts, and any call premium	1403
required to be paid on obligations or assurances.	1404
(9) "Bond proceedings" means the resolutions, trust	1405
agreement, indenture, and other agreements and credit enhancement	1406
facilities, and amendments and supplements to the foregoing, or	1407
any one or more or combination thereof, authorizing, awarding, or	1408
providing for the terms and conditions applicable to, or providing	1409
for the security or liquidity of, obligations or assurances, and	1410
the provisions contained in those obligations or assurances.	1411
(10) "Costs of facilities" means the costs of acquiring,	1412
constructing, reconstructing, rehabilitating, remodeling,	1413
renovating, enlarging, improving, equipping, or furnishing	1414
facilities, and the financing thereof, including the cost of	1415
clearance and preparation of the site and of any land to be used	1416
in connection with facilities, the cost of any indemnity and	1417
surety bonds and premiums on insurance, all related direct	1418
administrative expenses and allocable portions of direct costs of	1419
the institution of higher education or state agency, cost of	1420
engineering, architectural services, design, plans, specifications	1421
and surveys, estimates of cost, legal fees, fees and expenses of	1422
trustees, depositories, bond registrars, and paying agents for the	1423
obligations, cost of issuance of the obligations and financing	1424
costs and fees and expenses of financial advisers and consultants	1425
in connection therewith, interest on the obligations from the date	1426
thereof to the time when interest is to be covered by available	1427
receipts or other sources other than proceeds of the obligations,	1428
amounts necessary to establish reserves as required by the bond	1429
proceedings, costs of audits, the reimbursements of all moneys	1430

advanced or applied by or borrowed from the institution or others, 1431
from whatever source provided, including any temporary advances 1432
from state appropriations, for the payment of any item or items of 1433
cost of facilities, and all other expenses necessary or incident 1434
to planning or determining feasibility or practicability with 1435
respect to facilities, and such other expenses as may be necessary 1436
or incident to the acquisition, construction, reconstruction, 1437
rehabilitation, remodeling, renovation, enlargement, improvement, 1438
equipment, and furnishing of facilities, the financing thereof and 1439
the placing of them in use and operation, including any one, part 1440
of, or combination of such classes of costs and expenses. 1441

(11) "Available receipts" means all moneys received by the 1442
institution of higher education, including income, revenues, and 1443
receipts from the operation, ownership, or control of facilities 1444
or entrepreneurial projects, grants, gifts, donations, and pledges 1445
and receipts therefrom, receipts from fees and charges, and the 1446
proceeds of the sale of obligations or assurances, including 1447
proceeds of obligations or assurances issued to refund obligations 1448
or assurances previously issued, but excluding any special fee, 1449
and receipts therefrom, charged pursuant to division (D) of 1450
section 154.21 of the Revised Code. 1451

(12) "Credit enhancement facilities" has the meaning given in 1452
division (H) of section 133.01 of the Revised Code. 1453

(13) "Financing costs" has the meaning given in division (K) 1454
of section 133.01 of the Revised Code. 1455

(14) "Interest" or "interest equivalent" has the meaning 1456
given in division (R) of section 133.01 of the Revised Code. 1457

(15) "Assurances" means bonds, notes, or other evidence of 1458
indebtedness, including interest coupons pertaining thereto, 1459
authorized to be issued under section 3345.36 of the Revised Code. 1460

(16) "Entrepreneurial project" has the same meaning as in 1461

section 3345.36 of the Revised Code. 1462

(17) "Costs of entrepreneurial projects" means any costs 1463
related to the establishment or development of entrepreneurial 1464
projects pursuant to a resolution adopted under section 3345.36 of 1465
the Revised Code. 1466

(B) Obligations issued under section 3345.07 or 3345.11 of 1467
the Revised Code by a state university or college shall be 1468
authorized by resolution of its board of trustees. Obligations 1469
issued by any other institution of higher education shall be 1470
authorized by resolution of its board of trustees, or managing 1471
directors in the case of certain university branch districts, as 1472
applicable. Sections 9.96 and 9.98 to 9.983 of the Revised Code 1473
apply to obligations and assurances. Obligations and assurances 1474
may be issued to pay costs of facilities or entrepreneurial 1475
projects even if the institution anticipates the possibility of a 1476
future state appropriation to pay all or a portion of such costs. 1477

(C) Obligations and assurances shall be secured by a pledge 1478
of and lien on all or such part of the available receipts of the 1479
institution of higher education as it provides for in the bond 1480
proceedings, excluding moneys raised by taxation and state 1481
appropriations except as permitted by section 3333.90 of the 1482
Revised Code. Such pledge and lien may be made prior to all other 1483
expenses, claims, or payments, excepting any pledge of such 1484
available receipts previously made to the contrary and except as 1485
provided by any existing restrictions on the use thereof, or such 1486
pledge and lien may be made subordinate to such other expenses, 1487
claims, or payments, as provided in the bond proceedings. 1488
Obligations or assurances may be additionally secured by covenants 1489
of the institution to make, fix, adjust, collect, and apply such 1490
charges, rates, fees, rentals, and other items of available 1491
receipts as will produce pledged available receipts sufficient to 1492
meet bond service charges, reserve, and other requirements 1493

provided for in the bond proceedings. Notwithstanding this and any 1494
other sections of the Revised Code, the holders or owners of the 1495
obligations or assurances shall not be given the right and shall 1496
have no right to have excises or taxes levied by the general 1497
assembly for the payment of bond service charges thereon, and each 1498
such obligation or assurance shall bear on its face a statement to 1499
that effect and to the effect that the right to such payment is 1500
limited to the available receipts and special funds pledged to 1501
such purpose under the bond proceedings. 1502

All pledged available receipts and funds and the proceeds of 1503
obligations or assurances are trust funds and, subject to the 1504
provisions of this section and the applicable bond proceedings, 1505
shall be held, deposited, invested, reinvested, disbursed, 1506
applied, and used to such extent, in such manner, at such times, 1507
and for such purposes, as are provided in the bond proceedings. 1508

(D) The bond proceedings for obligations or assurances shall 1509
provide for the purpose thereof and the principal amount or 1510
maximum principal amount, and provide for or authorize the manner 1511
of determining the principal maturity or maturities, the sale 1512
price including any permitted discount, the interest rate or 1513
rates, which may be a variable rate or rates, or the maximum 1514
interest rate, the date of the obligations or assurances and the 1515
date or dates of payment of interest thereon, their denominations, 1516
the manner of sale thereof, and the establishment within or 1517
without the state of a place or places of payment of bond service 1518
charges. The bond proceedings also shall provide for a pledge of 1519
and lien on available receipts of the institution of higher 1520
education as provided in division (C) of this section, and a 1521
pledge of and lien on such fund or funds provided in the bond 1522
proceedings arising from available receipts, which pledges and 1523
liens may provide for parity with obligations or assurances 1524
theretofore or thereafter issued by the institution. The available 1525

receipts so pledged and thereafter received by the institution and 1526
the funds so pledged are immediately subject to the lien of such 1527
pledge without any physical delivery thereof or further act, and 1528
the lien of any such pledge is valid and binding against all 1529
parties having claims of any kind against the institution, 1530
irrespective of whether such parties have notice thereof, and 1531
shall create a perfected security interest for all purposes of 1532
Chapter 1309. of the Revised Code, without the necessity for 1533
separation or delivery of funds or for the filing or recording of 1534
the bond proceedings by which such pledge is created or any 1535
certificate, statement, or other document with respect thereto; 1536
and the pledge of such available receipts and funds shall be 1537
effective and the money therefrom and thereof may be applied to 1538
the purposes for which pledged without necessity for any act of 1539
appropriation. 1540

(E) The bond proceedings may contain additional provisions 1541
customary or appropriate to the financing or to the obligations or 1542
assurances or to particular obligations and assurances, including: 1543

(1) The acquisition, construction, reconstruction, equipment, 1544
furnishing, improvement, operation, alteration, enlargement, 1545
maintenance, insurance, and repair of facilities or 1546
entrepreneurial projects, and the duties of the institution of 1547
higher education with reference thereto; 1548

(2) The terms of the obligations or assurances, including 1549
provisions for their redemption prior to maturity at the option of 1550
the institution of higher education at such price or prices and 1551
under such terms and conditions as are provided in the bond 1552
proceedings; 1553

(3) Limitations on the purposes to which the proceeds of the 1554
obligations or assurances may be applied; 1555

(4) The rates or rentals or other charges for the use of or 1556

right to use the facilities or entrepreneurial projects financed 1557
by the obligations or assurances, or other properties the revenues 1558
or receipts from which are pledged to the obligations or 1559
assurances, and rules for assuring any applicable use and 1560
occupancy thereof, including limitations upon the right to modify 1561
such rates, rentals, other charges, or regulations; 1562

(5) The use and expenditure of the pledged available receipts 1563
in such manner and to such extent as shall be determined, which 1564
may include provision for the payment of the expenses of 1565
operation, maintenance, and repair of facilities or 1566
entrepreneurial projects so that such expenses, or part thereof, 1567
shall be paid or provided as a charge prior or subsequent to the 1568
payment of bond service charges and any other payments required to 1569
be made by the bond proceedings; 1570

(6) Limitations on the issuance of additional obligations or 1571
assurances; 1572

(7) The terms of any trust agreement or indenture securing 1573
the obligations or assurances or under which the same may be 1574
issued; 1575

(8) The deposit, investment, and application of funds, and 1576
the safeguarding of funds on hand or on deposit without regard to 1577
Chapter 131. or 135. of the Revised Code, and any bank or trust 1578
company or other financial institution that acts as depository of 1579
any moneys under the bond proceedings shall furnish such 1580
indemnifying bonds or pledge such securities as required by the 1581
bond proceedings or otherwise by the institution of higher 1582
education; 1583

(9) The binding effect of any or every provision of the bond 1584
proceedings upon such officer, board, commission, authority, 1585
agency, department, or other person or body as may from time to 1586
time have the authority under law to take such actions as may be 1587

necessary to perform all or any part of the duty required by such 1588
provision; 1589

(10) Any provision that may be made in a trust agreement or 1590
indenture; 1591

(11) Any other or additional agreements with respect to the 1592
facilities of the institution of higher education or its 1593
entrepreneurial projects, their operation, the available receipts 1594
and funds pledged, and insurance of facilities or entrepreneurial 1595
projects and of the institution, its officers and employees. 1596

(F) Such obligations or assurances may have the seal of the 1597
institution of higher education or a facsimile thereof affixed 1598
thereto or printed thereon and shall be executed by such officers 1599
as are designated in the bond proceedings, which execution may be 1600
by facsimile signatures. Any obligations or assurances may be 1601
executed by an officer who, on the date of execution, is the 1602
proper officer although on the date of such obligations or 1603
assurances such person was not the proper officer. In case any 1604
officer whose signature or a facsimile of whose signature appears 1605
on any such obligation or assurance ceases to be such officer 1606
before delivery thereof, such signature or facsimile is 1607
nevertheless valid and sufficient for all purposes as if the 1608
person had remained such officer until such delivery; and in case 1609
the seal of the institution has been changed after a facsimile of 1610
the seal has been imprinted on such obligations or assurances, 1611
such facsimile seal continues to be sufficient as to such 1612
obligations or assurances and obligations or assurances issued in 1613
substitution or exchange therefor. 1614

(G) All such obligations or assurances are negotiable 1615
instruments and securities under Chapter 1308. of the Revised 1616
Code, subject to the provisions of the bond proceedings as to 1617
registration. The obligations or assurances may be issued in 1618
coupon or in registered form, or both. Provision may be made for 1619

the registration of any obligations or assurances with coupons 1620
attached thereto as to principal alone or as to both principal and 1621
interest, their exchange for obligations or assurances so 1622
registered, and for the conversion or reconversion into 1623
obligations or assurances with coupons attached thereto of any 1624
obligations or assurances registered as to both principal and 1625
interest, and for reasonable charges for such registration, 1626
exchange, conversion, and reconversion. 1627

(H) Pending preparation of definitive obligations or 1628
assurances, the institution of higher education may issue interim 1629
receipts or certificates which shall be exchanged for such 1630
definitive obligations or assurances. 1631

(I) Such obligations or assurances may be secured 1632
additionally by a trust agreement or indenture between the 1633
institution of higher education and a corporate trustee, which may 1634
be any trust company or bank having the powers of a trust company 1635
within or without this state but authorized to exercise trust 1636
powers within this state. Any such agreement or indenture may 1637
contain the resolution authorizing the issuance of the obligations 1638
or assurances, any provisions that may be contained in the bond 1639
proceedings as authorized by this section, and other provisions 1640
which are customary or appropriate in an agreement or indenture of 1641
such type, including: 1642

(1) Maintenance of each pledge, trust agreement, and 1643
indenture, or other instrument comprising part of the bond 1644
proceedings until the institution of higher education has fully 1645
paid the bond service charges on the obligations or assurances 1646
secured thereby, or provision therefor has been made; 1647

(2) In the event of default in any payments required to be 1648
made by the bond proceedings, or any other agreement of the 1649
institution of higher education made as a part of the contract 1650
under which the obligations or assurances were issued, enforcement 1651

of such payments or agreement by mandamus, the appointment of a receiver, suit in equity, action at law, or any combination of the foregoing;

(3) The rights and remedies of the holders of obligations or assurances and of the trustee, and provisions for protecting and enforcing them, including limitations on rights of individual holders of obligations or assurances;

(4) The replacement of any obligations or assurances that become mutilated or are destroyed, lost, or stolen;

(5) Such other provisions as the trustee and the institution of higher education agree upon, including limitations, conditions, or qualifications relating to any of the foregoing.

(J) Each duty of the institution of higher education and its officers or employees, undertaken pursuant to the bond proceedings or any related agreement or lease made under authority of law, is hereby established as a duty of such institution, and of each such officer or employee having authority to perform such duty, specially enjoined by law resulting from an office, trust, or station within the meaning of section 2731.01 of the Revised Code. The persons who are at the time the members of the board of trustees or the managing directors of the institution or its officers or employees are not liable in their personal capacities on such obligations or assurances, or lease, or other agreement of the institution.

(K) The authority to issue obligations or assurances includes authority to:

(1) Issue obligations or assurances in the form of bond anticipation notes and to renew them from time to time by the issuance of new notes. Such notes are payable solely from the available receipts and funds that may be pledged to the payment of such bonds, or from the proceeds of such bonds or renewal notes,

or both, as the institution of higher education provides in its 1683
resolution authorizing such notes. Such notes may be additionally 1684
secured by covenants of the institution to the effect that it will 1685
do such or all things necessary for the issuance of such bonds or 1686
renewal notes in appropriate amount, and either exchange such 1687
bonds or renewal notes therefor or apply the proceeds thereof to 1688
the extent necessary, to make full payment of the bond service 1689
charges on such notes at the time or times contemplated, as 1690
provided in such resolution. Subject to the provisions of this 1691
division, all references to obligations or assurances in this 1692
section apply to such anticipation notes. 1693

(2) Issue obligations or assurances to refund, including 1694
funding and retirement of, obligations or assurances previously 1695
issued to pay costs of facilities or entrepreneurial projects. 1696
Such obligations or assurances may be issued in amounts sufficient 1697
for payment of the principal amount of the obligations or 1698
assurances to be so refunded, any redemption premiums thereon, 1699
principal maturities of any obligations or assurances maturing 1700
prior to the redemption of any other obligations or assurances on 1701
a parity therewith to be so refunded, interest accrued or to 1702
accrue to the maturity date or dates of redemption of such 1703
obligations or assurances, and any expenses incurred or to be 1704
incurred in connection with such refunding or the issuance of the 1705
obligations or assurances. 1706

(L) Obligations and assurances are lawful investments for 1707
banks, societies for savings, savings and loan associations, 1708
deposit guarantee associations, trust companies, trustees, 1709
fiduciaries, insurance companies, including domestic for life and 1710
domestic not for life, trustees or other officers having charge of 1711
sinking and bond retirement or other special funds of political 1712
subdivisions and taxing districts of this state, the commissioners 1713
of the sinking fund, the administrator of workers' compensation in 1714

accordance with the investment policy approved by the bureau of 1715
workers' compensation board of directors pursuant to section 1716
4121.12 of the Revised Code, the state teachers retirement system, 1717
the public employees retirement system, the school employees 1718
retirement system, and the Ohio police and fire pension fund, 1719
notwithstanding any other provisions of the Revised Code or rules 1720
adopted pursuant thereto by any state agency with respect to 1721
investments by them, and are also acceptable as security for the 1722
deposit of public moneys. 1723

(M) All facilities or entrepreneurial projects purchased, 1724
acquired, constructed, or owned by an institution of higher 1725
education, or financed in whole or in part by obligations or 1726
assurances issued by an institution, and used for the purposes of 1727
the institution or other publicly owned and controlled college or 1728
university, is public property used exclusively for a public 1729
purpose, and such property and the income therefrom is exempt from 1730
all taxation and assessment within this state, including ad 1731
valorem and excise taxes. The obligations or assurances, the 1732
transfer thereof, and the income therefrom, including any profit 1733
made on the sale thereof, are at all times free from taxation 1734
within the state. The transfer of tangible personal property by 1735
lease under authority of this section or section 3345.07, 3345.11, 1736
3345.36, 3354.121, 3355.091, 3357.112, or 3358.10 of the Revised 1737
Code is not a sale as used in Chapter 5739. of the Revised Code. 1738

(N) The authority granted by this section is cumulative with 1739
the authority granted to institutions of higher education under 1740
Chapter 154. of the Revised Code, and nothing in this section 1741
impairs or limits the authority granted by Chapter 154. of the 1742
Revised Code. In any lease, agreement, or commitment made by an 1743
institution of higher education under Chapter 154. of the Revised 1744
Code, it may agree to restrict or subordinate any pledge it may 1745
thereafter make under authority of this section. 1746

(O) Title to lands acquired under this section and sections 1747
3345.07 and 3345.11 of the Revised Code by a state university or 1748
college shall be taken in the name of the state. 1749

(P) Except where costs of facilities or entrepreneurial 1750
projects are to be paid in whole or in part from funds 1751
appropriated by the general assembly, section 125.81 of the 1752
Revised Code and the requirement for certification with respect 1753
thereto under section 153.04 of the Revised Code do not apply to 1754
such facilities or entrepreneurial projects. 1755

(Q) A state university or college may sell or lease lands or 1756
interests in land owned by it or by the state for its use, or 1757
facilities authorized to be acquired or constructed by it under 1758
section 3345.07 or 3345.11 of the Revised Code, to permit the 1759
purchasers or lessees thereof to acquire, construct, equip, 1760
furnish, reconstruct, alter, enlarge, remodel, renovate, 1761
rehabilitate, improve, maintain, repair, or maintain and operate 1762
thereon and to provide by lease or otherwise to such institution, 1763
facilities authorized in section 3345.07 or 3345.11 of the Revised 1764
Code or entrepreneurial projects authorized under section 3345.36 1765
of the Revised Code. Such land or interests therein shall be sold 1766
for such appraised value, or leased, and on such terms as the 1767
board of trustees determines. All deeds or other instruments 1768
relating to such sales or leases shall be executed by such officer 1769
of the state university or college as the board of trustees 1770
designates. The state university or college shall hold, invest, or 1771
use the proceeds of such sales or leases for the same purposes for 1772
which proceeds of borrowings may be used under sections 3345.07 1773
and 3345.11 of the Revised Code or, if the proceeds relate to the 1774
sale or lease of entrepreneurial projects, for purposes of section 1775
3345.36 of the Revised Code. 1776

(R) An institution of higher education may pledge available 1777
receipts, to the extent permitted by division (C) of this section 1778

with respect to obligations, to secure the payments to be made by 1779
it under any lease, lease with option to purchase, or 1780
lease-purchase agreement authorized under this section or section 1781
3345.07, 3345.11, 3345.36, 3354.121, 3355.091, 3357.112, or 1782
3358.10 of the Revised Code. 1783

Sec. 3345.121. As used in this section: 1784

(A) "Board of trustees" means the board of trustees of a 1785
state university, university housing commission, state medical 1786
~~college~~ university, community college district, university branch 1787
district, technical college district, or state community college. 1788

(B) "Political subdivision" means a municipal corporation, 1789
county, or township. 1790

(C) "Institution" means all real property owned or leased by 1791
a board of trustees. If a board owns or leases two or more parcels 1792
of real property that are not contiguous to any other such real 1793
property, institution includes only that group of parcels that 1794
includes the parcel on which the educational facility is or is to 1795
be located. 1796

(D) "Educational facility" means any building, structure, 1797
facility, utility, improvement, site, or other interest in real 1798
estate, together with any appurtenance necessary or convenient to 1799
the uses thereof, to be used for or in connection with the conduct 1800
or operation of an educational institution. Educational facilities 1801
include, but are not limited to, classrooms and other 1802
instructional facilities, laboratories, research facilities, 1803
libraries, study facilities, administrative and office facilities, 1804
museums, gymnasiums, campus walks, drives, and site improvements, 1805
streets, roads, bridges, dormitories and other suitable living 1806
quarters or accommodations, dining halls and other food service 1807
and preparation facilities, student services or activity 1808
facilities, physical education, athletic and recreational 1809

facilities, theatres, auditoriums, assembly and exhibition halls, 1810
greenhouses, agricultural buildings and facilities, parking, 1811
storage, and maintenance facilities, infirmary, hospital, medical, 1812
and health facilities, continuing education facilities, 1813
communications, fire prevention, and fire fighting facilities, and 1814
any one, part of, or combination of the foregoing, whether or not 1815
comprising part of one building, structure, or facility. 1816

(E) "Capital facilities" means buildings, structures, and 1817
other improvements, equipment, real estate, and interests in real 1818
estate within this state, and any one, part of, or combination of 1819
the foregoing, to serve the general purposes for which the 1820
political subdivision is authorized to issue obligations pursuant 1821
to Chapter 133. of the Revised Code, including, but not limited 1822
to, drives, roadways, parking facilities, walks, lighting, 1823
machinery, furnishings, utilities, landscaping, wharves, docks, 1824
piers, reservoirs, dams, tunnels, bridges, retaining walls, 1825
riprap, culverts, ditches, channels, watercourses, retention 1826
basins, standpipes and water storage facilities, waste treatment 1827
and disposal facilities, heating, air conditioning, and 1828
communications facilities, and site improvements. 1829

(F) "Cost of capital facilities" means the costs of 1830
acquiring, constructing, reconstructing, rehabilitating, 1831
remodeling, renovating, enlarging, improving, equipping, or 1832
furnishing capital facilities, and the financing thereof, 1833
including the cost of clearance and preparation of the site and of 1834
any land to be used in connection with capital facilities, the 1835
cost of any indemnity and surety bonds and premiums on insurance, 1836
all related direct administrative expenses and allocable portions 1837
of direct costs of the facilities, cost of engineering and 1838
architectural services, designs, plans, specifications, surveys, 1839
and estimates of cost, legal fees, fees and expenses of trustees, 1840
depositories, and paying agents for the obligations, cost of 1841

issuance of the obligations and financing charges and fees and 1842
expenses of financial advisers and consultants in connection 1843
therewith, interest on obligations from the date thereof to the 1844
time when interest is to be covered from sources other than 1845
proceeds of obligations, amounts necessary to establish reserves 1846
as required by the bond proceedings, costs of audits, the 1847
reimbursement of all moneys advanced or applied by or borrowed 1848
from any governmental agency, from whatever source provided, for 1849
the payment of any items of cost of the capital facilities, and 1850
all other expenses necessary or incident to planning or 1851
determining feasibility or practicability with respect to capital 1852
facilities, and such other expenses as may be necessary or 1853
incident to the acquisition, construction, reconstruction, 1854
rehabilitation, remodeling, renovation, enlargement, improvement, 1855
equipment, and furnishing of capital facilities, the financing 1856
thereof, and the placing of the same in use and operation, 1857
including any one, part of, or combination of such classes of 1858
costs and expenses. 1859

(G) "Legislative authority" means, in the case of a municipal 1860
corporation, its legislative authority; in the case of a township, 1861
its board of trustees; and in the case of a county, its board of 1862
commissioners. 1863

Not later than the ninetieth day after the effective date of 1864
an initial appropriation by the general assembly for the 1865
construction or renovation of an educational facility that exceeds 1866
one hundred thousand dollars, the board of trustees of the 1867
institution receiving the appropriation shall, by certified mail, 1868
return receipt requested, submit to the legislative authority of 1869
each political subdivision within which the institution is located 1870
or to which it is contiguous, a written notice of the board's 1871
intention to proceed with such construction or renovation. This 1872
notice shall include a description of the construction or 1873

renovation, the estimated date for opening bids therefor, and the 1874
estimated date of the completion of the construction or 1875
renovation. 1876

Not later than the sixtieth day after it receives the notice, 1877
the legislative authority may, by certified mail, return receipt 1878
requested, forward its comments or objections on the proposed 1879
construction or renovation to the board, which shall include, but 1880
need not be limited to, a description of any capital facilities it 1881
determines the political subdivision will be required to make as a 1882
direct or indirect consequence of the construction or renovation 1883
and the estimated costs of such capital facilities. The board 1884
shall not advertise for bids for the construction or renovation 1885
until it has received comments or objections from the legislative 1886
authority or until sixty days have elapsed since the legislative 1887
authority received the notice, whichever is earlier. The board 1888
shall maintain as part of its permanent records, any comments or 1889
objections received from the legislative authority and any action 1890
taken by the board with respect to such comments or objections. 1891

Sec. 3345.17. All property, personal, real, or mixed of the 1892
boards of trustees and of the housing commissions of the state 1893
universities, the ~~northeastern~~ northeast Ohio ~~universities~~ college 1894
~~of medicine~~ medical university, and of the state held for the use 1895
and benefit of any such institution, which is used for the support 1896
of such institution, is exempt from taxation so long as such 1897
property is used for the support of such university ~~or college~~. 1898

Sec. 3345.201. The board of trustees of a state college or 1899
university which operates a clinical teaching or research hospital 1900
or ambulatory facility may purchase liability insurance for the 1901
agents, employees, students, nurses, interns, and resident 1902
physicians of such hospital against all liability arising from 1903
their performance of services on behalf of such hospital or 1904

facility. 1905

The boards of trustees of the ~~northeastern~~ northeast Ohio 1906
~~universities college of medicine~~ medical university, Ohio 1907
university, and the Wright state university if they provide 1908
clinical instruction programs in the facilities of a hospital not 1909
operated by the ~~college or~~ university, may purchase liability 1910
insurance for agents, employees, students, nurses, interns, and 1911
resident physicians performing services in relation to such 1912
hospital against all liability arising from their performance of 1913
services on behalf of such ~~college or~~ university. 1914

Such insurance may be provided by one or more insurance 1915
policies. 1916

Sec. 3345.28. The board of trustees of any state university, 1917
~~college of medicine~~ medical university, technical college, state 1918
community college, community college, or the board of trustees or 1919
managing authority of any university branch may establish and 1920
administer a faculty improvement program, under which any 1921
full-time faculty member with at least seven academic years of 1922
teaching service at the college, university, or branch may be 1923
granted professional leave for a period not to exceed one academic 1924
year to engage in further education, research, or any other 1925
purpose approved by the board. A board of trustees or managing 1926
authority that establishes such a program shall, by rule, adopt a 1927
definition of "academic years of teaching service" and of 1928
"full-time faculty member." 1929

No such board or authority shall pay any faculty member for 1930
or during a period of professional leave any salary exceeding the 1931
amount that would have been paid to such faculty member for 1932
performing ~~his~~ the faculty member's regular duties during the 1933
period of the leave. No faculty member shall, by virtue of being 1934
on professional leave, suffer a reduction or termination of ~~his~~ 1935

the faculty member's regular employee retirement or insurance 1936
benefits or of any other benefit or privilege ~~he receives~~ being 1937
received as a faculty member at the college, university, or branch 1938
where ~~he~~ the faculty member is employed. Whenever such a benefit 1939
would be reduced because of a reduction in the faculty member's 1940
salary during the period of professional leave, the faculty member 1941
shall be given a chance to have the benefit increased to its 1942
normal level, in accordance with rules adopted by the board of 1943
trustees or the managing authority. A faculty member who has been 1944
granted professional leave shall complete another seven years of 1945
service at the college, university, or branch at which ~~he~~ the 1946
faculty member is employed before ~~he becomes~~ becoming eligible for 1947
another grant of professional leave at that college, university, 1948
or branch. Professional leave taken as part of a faculty 1949
improvement program established under this section shall not be 1950
deemed to be in lieu of released time or assigned duty in 1951
connection with a specific research, scholarly, or creative 1952
program. 1953

Boards of trustees and managing authorities may accept moneys 1954
from any person, political subdivision, or the federal government 1955
to support a faculty improvement program, and may establish such 1956
additional rules as are necessary to establish and administer it. 1957

Each grant of professional leave shall be in accordance with 1958
a professional improvement policy for professional leaves that has 1959
been approved by the board of trustees or the managing authority. 1960
No professional leave shall be granted that requires a 1961
compensating addition to the permanent faculty or staff of the 1962
college, university, or branch. No professional leave shall be 1963
approved unless a specific plan for the professional improvement 1964
of the faculty member while on leave has been submitted to and 1965
accepted by the president of the university, college, or branch. 1966
At the completion of the leave, the faculty member shall submit to 1967

the president a report detailing the attainments of the faculty member under this professional improvement plan. 1968
1969

Not later than the thirtieth day of June of each year, the chancellor of the board of regents shall report to the ~~chairmen~~ chairpersons of the education committees of the house of representatives and the senate on the status of implementation of faculty improvement programs. The report shall include, but need not be limited to, the following: the number of professional leave grants made by each institution; the purpose of each professional leave; and a statement of the cost to the institution of each professional leave, to the extent that such cost exceeds the salary of the faculty member on professional leave. 1970
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Sec. 3345.281. As used in this section, "teaching assistant" means a student enrolled full-time or part-time in a graduate degree program at an educational institution for which the student has received an appointment to provide classroom-related services. 1980
1981
1982
1983

The board of trustees of each state university, ~~college of medicine~~ medical university, technical college, state community college, community college, and the board of trustees or managing authority of each university branch shall establish a program to assess the oral English language proficiency of all teaching assistants providing classroom instruction to students and shall ensure that teaching assistants who are not orally proficient in the English language attain such proficiency prior to providing classroom instruction to students. 1984
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Sec. 3345.31. The boards of trustees of a state university, the board of trustees of the ~~northeastern~~ northeast Ohio ~~universities college of medicine~~ medical university, the board of trustees of a technical college or community college district, and the board of control of the Ohio agricultural research and 1993
1994
1995
1996
1997

development center may establish compensation plans, including 1998
schedules of hourly rates, for the compensation of all employees 1999
and may establish rules or policies for the administration of 2000
their respective compensation plans. 2001

The provisions of this section do not apply to employees for 2002
whom the state employment relations board establishes appropriate 2003
bargaining units pursuant to section 4117.06 of the Revised Code. 2004

Sec. 3345.32. (A) As used in this section: 2005

(1) "State university or college" means the institutions 2006
described in section 3345.27 of the Revised Code and the 2007
~~northeastern northeast Ohio universities college of medicine~~ 2008
medical university. 2009

(2) "Resident" has the meaning specified by rule of the 2010
chancellor of the Ohio board of regents. 2011

(3) "Statement of selective service status" means a statement 2012
certifying one of the following: 2013

(a) That the individual filing the statement has registered 2014
with the selective service system in accordance with the "Military 2015
Selective Service Act," 62 Stat. 604, 50 U.S.C. App. 453, as 2016
amended; 2017

(b) That the individual filing the statement is not required 2018
to register with the selective service for one of the following 2019
reasons: 2020

(i) The individual is under eighteen or over twenty-six years 2021
of age. 2022

(ii) The individual is on active duty with the armed forces 2023
of the United States other than for training in a reserve or 2024
national guard unit. 2025

(iii) The individual is a nonimmigrant alien lawfully in the 2026

United States in accordance with section 101 (a)(15) of the 2027
"Immigration and Nationality Act," 8 U.S.C. 1101, as amended. 2028

(iv) The individual is not a citizen of the United States and 2029
is a permanent resident of the Trust Territory of the Pacific 2030
Islands or the Northern Mariana Islands. 2031

(4) "Institution of higher education" means any eligible 2032
institution approved by the United States department of education 2033
pursuant to the "Higher Education Act of 1965," 79 Stat. 1219, as 2034
amended, or any institution whose students are eligible for 2035
financial assistance under any of the programs described by 2036
division (E) of this section. 2037

(B) The chancellor shall, by rule, specify the form of 2038
statements of selective service status to be filed in compliance 2039
with divisions (C) to ~~(F)~~(E) of this section. Each statement of 2040
selective service status shall contain a section wherein a male 2041
student born after December 31, 1959, certifies that the student 2042
has registered with the selective service system in accordance 2043
with the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. 2044
App. 453, as amended. For those students not required to register 2045
with the selective service, as specified in divisions (A)(2)(b)(i) 2046
to (iv) of this section, a section shall be provided on the 2047
statement of selective service status for the certification of 2048
nonregistration and for an explanation of the reason for the 2049
exemption. The chancellor may require that such statements be 2050
accompanied by documentation specified by rule of the chancellor. 2051

(C) A state university or college that enrolls in any course, 2052
class, or program a male student born after December 31, 1959, who 2053
has not filed a statement of selective service status with the 2054
university or college shall, regardless of the student's 2055
residency, charge the student any tuition surcharge charged 2056
students who are not residents of this state. 2057

(D) No male born after December 31, 1959, shall be eligible 2058
to receive any loan, grant, scholarship, or other financial 2059
assistance for educational expenses granted under section 3315.33, 2060
3333.12, 3333.122, 3333.21, 3333.22, 3333.26, 3333.391, 5910.03, 2061
5910.032, or 5919.34 of the Revised Code, financed by an award 2062
under the choose Ohio first scholarship program established under 2063
section 3333.61 of the Revised Code, or financed by an award under 2064
the Ohio co-op/internship program established under section 2065
3333.72 of the Revised Code, unless that person has filed a 2066
statement of selective service status with that person's 2067
institution of higher education. 2068

(E) If an institution of higher education receives a 2069
statement from an individual certifying that the individual has 2070
registered with the selective service system in accordance with 2071
the "Military Selective Service Act," 62 Stat. 604, 50 U.S.C. App. 2072
453, as amended or that the individual is exempt from registration 2073
for a reason other than that the individual is under eighteen 2074
years of age, the institution shall not require the individual to 2075
file any further statements. If it receives a statement certifying 2076
that the individual is not required to register because the 2077
individual is under eighteen years of age, the institution shall 2078
require the individual to file a new statement of selective 2079
service status each time the individual seeks to enroll for a new 2080
academic term or makes application for a new loan or loan 2081
guarantee or for any form of financial assistance for educational 2082
expenses, until it receives a statement certifying that the 2083
individual has registered with the selective service system or is 2084
exempt from registration for a reason other than that the 2085
individual is under eighteen years of age. 2086

Sec. 3345.34. (A) No student trustee of a state university or 2087
the ~~northeastern northeast~~ Ohio ~~universities college of medicine~~ 2088
medical university shall use the trusteeship to influence any 2089

grade or other evaluation of the student trustee's performance 2090
made by a member of the faculty or other employee of the ~~state~~ 2091
university ~~or the college~~. 2092

(B) No member of the faculty or other employee of a state 2093
university or the ~~northeastern~~ northeast Ohio ~~universities college~~ 2094
~~of medicine~~ medical university shall confer any favor, advantage, 2095
preference, or other benefit on a student trustee because of the 2096
student's trusteeship. 2097

Sec. 3345.50. Notwithstanding anything to the contrary in 2098
sections 123.01 and 123.15 of the Revised Code, a state 2099
university, a state community college, or the ~~northeastern~~ 2100
northeast Ohio ~~universities college of medicine~~ medical university 2101
not certified pursuant to section 123.17 of the Revised Code may 2102
administer any capital facilities project for the construction, 2103
reconstruction, improvement, renovation, enlargement, or 2104
alteration of a public improvement under its jurisdiction for 2105
which the total amount of funds expected to be appropriated by the 2106
general assembly does not exceed four million dollars without the 2107
supervision, control, or approval of the department of 2108
administrative services as specified in those sections, if both of 2109
the following occur: 2110

(A) Within sixty days after the effective date of the section 2111
of an act in which the general assembly initially makes an 2112
appropriation for the project, the board of trustees of the 2113
institution notifies the chancellor of the Ohio board of regents 2114
in writing of its intent to administer the capital facilities 2115
project; 2116

(B) The board of trustees complies with the guidelines 2117
established pursuant to section 153.16 of the Revised Code and all 2118
laws that govern the selection of consultants, preparation and 2119
approval of contract documents, receipt of bids, and award of 2120

contracts with respect to the project. 2121

The ~~board of regents~~ chancellor shall adopt rules in 2122
accordance with Chapter 119. of the Revised Code that establish 2123
criteria for the administration by any such institution of higher 2124
education of a capital facilities project for which the total 2125
amount of funds expected to be appropriated by the general 2126
assembly exceeds four million dollars. The criteria, to be 2127
developed with the department of administrative services and 2128
higher education representatives selected by the ~~board of regents~~ 2129
chancellor, shall include such matters as the adequacy of the 2130
staffing levels and expertise needed for the institution to 2131
administer the project, past performance of the institution in 2132
administering such projects, and the amount of institutional or 2133
other nonstate money to be used in financing the project. The 2134
~~board of regents~~ chancellor and the department of administrative 2135
services shall approve the request of any such institution of 2136
higher education that seeks to administer any such capital 2137
facilities project and meets the criteria set forth in the rules 2138
and in the requirements of division (B) of this section. 2139

Sec. 3345.51. (A) Notwithstanding anything to the contrary in 2140
sections 123.01 and 123.15 of the Revised Code, a state 2141
university, the ~~northeastern~~ northeast Ohio ~~universities college~~ 2142
~~of medicine~~ medical university, or a state community college may 2143
administer any capital facilities project for the construction, 2144
reconstruction, improvement, renovation, enlargement, or 2145
alteration of a public improvement under its jurisdiction for 2146
which funds are appropriated by the general assembly without the 2147
supervision, control, or approval of the department of 2148
administrative services as specified in those sections, if all of 2149
the following occur: 2150

(1) The institution is certified by the state architect under 2151

section 123.17 of the Revised Code; 2152

(2) Within sixty days after the effective date of the section 2153
of an act in which the general assembly initially makes an 2154
appropriation for the project, the board of trustees of the 2155
institution notifies the chancellor of the Ohio board of regents 2156
in writing of its request to administer the capital facilities 2157
project and the ~~board of regents~~ chancellor approves that request 2158
pursuant to division (B) of this section; 2159

(3) The board of trustees passes a resolution stating its 2160
intent to comply with section 153.13 of the Revised Code and the 2161
guidelines established pursuant to section 153.16 of the Revised 2162
Code and all laws that govern the selection of consultants, 2163
preparation and approval of contract documents, receipt of bids, 2164
and award of contracts with respect to the project. 2165

(B) The ~~board of regents~~ chancellor shall adopt rules in 2166
accordance with Chapter 119. of the Revised Code that establish 2167
criteria for the administration by any such institution of higher 2168
education of a capital facilities project for which the general 2169
assembly appropriates funds. The criteria, to be developed with 2170
the department of administrative services and higher education 2171
representatives selected by the ~~board of regents~~ chancellor, shall 2172
include such matters as the adequacy of the staffing levels and 2173
expertise needed for the institution to administer the project, 2174
past performance of the institution in administering such 2175
projects, and the amount of institutional or other nonstate money 2176
to be used in financing the project. The ~~board of regents~~ 2177
chancellor shall approve the request of any such institution of 2178
higher education that seeks to administer any such capital 2179
facilities project and meets the criteria set forth in the rules 2180
and the requirements of division (A) of this section. 2181

(C) Any institution that administers a capital facilities 2182
project under this section shall conduct biennial audits for the 2183

duration of the project to ensure that the institution is 2184
complying with Chapters 9., 123., and 153. of the Revised Code and 2185
that the institution is using its certification issued under 2186
section 123.17 of the Revised Code appropriately. The ~~board of~~ 2187
~~regents~~ chancellor, in consultation with higher education 2188
representatives selected by the ~~board~~ chancellor, shall adopt 2189
rules in accordance with Chapter 119. of the Revised Code that 2190
establish criteria for the conduct of the audits. The criteria 2191
shall include documentation necessary to determine compliance with 2192
Chapters 9., 123., and 153. of the Revised Code and a method to 2193
determine whether an institution is using its certification issued 2194
under section 123.17 of the Revised Code appropriately. 2195

(D) The ~~board of regents~~ chancellor, in consultation with 2196
higher education representatives selected by the ~~board~~ chancellor, 2197
shall adopt rules in accordance with Chapter 119. of the Revised 2198
Code establishing criteria for monitoring capital facilities 2199
projects administered by institutions under this section. The 2200
criteria shall include the following: 2201

(1) Conditions under which the ~~board of regents~~ chancellor 2202
may revoke the authority of an institution to administer a capital 2203
facilities project under this section, including the failure of an 2204
institution to maintain a sufficient number of employees who have 2205
successfully completed the certification program under section 2206
123.17 of the Revised Code; 2207

(2) A process for institutions to remedy any problems found 2208
by an audit conducted pursuant to division (C) of this section, 2209
including the improper use of state funds or violations of Chapter 2210
9., 123., or 153. of the Revised Code. 2211

(E) If the ~~board of regents~~ chancellor revokes an 2212
institution's authority to administer a capital facilities 2213
project, the department of administrative services shall 2214
administer the capital facilities project. The ~~board of regents~~ 2215

chancellor also may require an institution, for which the ~~board~~ 2216
chancellor revoked authority to administer a capital facilities 2217
project, to acquire a new local administration competency 2218
certification pursuant to section 123.17 of the Revised Code. 2219

Sec. 3345.71. As used in sections 3345.72 to 3345.77 of the 2220
Revised Code: 2221

(A) "State university or college" means any state university 2222
listed in section 3345.011 of the Revised Code, the ~~northeastern~~ 2223
~~northeast~~ Ohio ~~universities college of medicine~~ medical 2224
university, any community college under Chapter 3354. of the 2225
Revised Code, any technical college under Chapter 3357. of the 2226
Revised Code, and any state community college under Chapter 3358. 2227
of the Revised Code. 2228

(B) "Fiscal watch" means the existence of a fiscal watch 2229
declared under section 3345.72 of the Revised Code. 2230

Sec. 3350.10. (A) There is hereby created the ~~northeastern~~ 2231
~~northeast~~ Ohio ~~universities college of medicine~~ medical 2232
university. The principal goal of the ~~college~~ medical university 2233
shall be to collaborate with the university of Akron, Cleveland 2234
state university, Kent state university, and Youngstown state 2235
university to graduate physicians oriented to the practice of 2236
medicine at the community level, especially family physicians. To 2237
accomplish this goal, the ~~college~~ medical university may 2238
incorporate in the clinical experience provided its students the 2239
several community hospitals in the cities and areas served by the 2240
~~college~~ medical university; utilize practicing physicians as 2241
teachers; and to the fullest extent possible utilize the basic 2242
science capabilities of the university of Akron, Cleveland state 2243
university, Kent state university, and Youngstown state 2244
university. 2245

(1) ~~Until the ninetieth day after the effective date of this~~ 2246
~~amendment December 22, 2008,~~ the government of the ~~college~~ 2247
northeast Ohio medical university is vested in a nine-member board 2248
of trustees consisting of the presidents of the university of 2249
Akron, Kent state university, and Youngstown state university; one 2250
member each of the boards of trustees of the university of Akron, 2251
Kent state university, and Youngstown state university, to be 2252
appointed by their respective boards of trustees for a term of six 2253
years ending on the first day of May or until the trustee's term 2254
on the respective university board of trustees expires, whichever 2255
occurs first; and one person each to be appointed by the boards of 2256
trustees of the university of Akron, Kent state university, and 2257
Youngstown state university, for a term of nine years ending on 2258
the first day of May; except that the term of those first 2259
appointed by the several boards of trustees shall expire on the 2260
first day of May next following their appointment. Vacancies shall 2261
be filled for the unexpired term in the manner provided for 2262
original appointment. The trustees shall receive no compensation 2263
for their services but shall be paid their reasonable necessary 2264
expenses while engaged in the discharge of their official duties. 2265
A majority of the board constitutes a quorum. 2266

(2) Beginning ~~ninety days after the effective date of this~~ 2267
~~amendment December 22, 2008,~~ the government of the ~~college~~ 2268
northeast Ohio medical university is vested in a board of eleven 2269
trustees, who shall be appointed by the governor, with the advice 2270
and consent of the senate. Two of the trustees shall be current 2271
students of the ~~college~~ medical university, and their selection 2272
and terms shall be in accordance with division (B) of this 2273
section. Except as provided in division (A)(3) of this section and 2274
except for the student members, terms of office shall be for nine 2275
years. Each trustee shall hold office from the date of appointment 2276
until the end of the term for which the trustee was appointed. Any 2277
trustee appointed to fill a vacancy occurring prior to the 2278

expiration of the term for which the trustee's predecessor was 2279
appointed shall hold office for the remainder of such term. Any 2280
trustee shall continue in office subsequent to the expiration date 2281
of the trustee's term until the trustee's successor takes office, 2282
or until a period of sixty days has elapsed, whichever occurs 2283
first. No person who has served a full nine-year term or more than 2284
six years of such a term shall be eligible for reappointment until 2285
a period of four years has elapsed since the last day of the term 2286
for which the person previously served. The trustees shall receive 2287
no compensation for their services but shall be paid their 2288
reasonable necessary expenses while engaged in the discharge of 2289
their official duties. A majority of the board constitutes a 2290
quorum. 2291

(3) Not later than ~~ninety days after the effective date of~~ 2292
~~this amendment~~ December 22, 2008, the governor, with the advice 2293
and consent of the senate, shall appoint the two student trustees 2294
and successors for the trustees serving under division (A)(1) of 2295
this section. Except for the student trustees, who shall serve 2296
terms pursuant to division (B) of this section, the initial terms 2297
of office for trustees appointed under division (A)(2) of this 2298
section shall be as follows: one term ending ~~one year after the~~ 2299
~~effective date of this amendment~~ September 23, 2009; one term 2300
ending ~~two years after the effective date of this amendment~~ 2301
September 23, 2010; one term ending ~~three years after the~~ 2302
~~effective date of this amendment~~ September 23, 2011; one term 2303
ending ~~four years after the effective date of this amendment~~ 2304
September 23, 2012; one term ending ~~five years after the effective~~ 2305
~~date of this amendment~~ September 23, 2013; one term ending ~~six~~ 2306
~~years after the effective date of this amendment~~ September 23, 2307
2014; one term ending ~~seven years after the effective date of this~~ 2308
~~amendment~~ September 23, 2015; one term ending ~~eight years after~~ 2309
~~the effective date of this amendment~~ September 23, 2016; one term 2310
ending ~~nine years after the effective date of this amendment~~ 2311

September 23, 2017. Thereafter, terms of office shall be for nine 2312
years, as provided in division (A)(2) of this section. 2313

(B) The student members of the board of trustees of the 2314
~~northeastern~~ northeast Ohio ~~universities college of medicine~~ 2315
medical university have no voting power on the board. Student 2316
members shall not be considered as members of the board in 2317
determining whether a quorum is present. Student members shall not 2318
be entitled to attend executive sessions of the board. The student 2319
members of the board shall be appointed by the governor, with the 2320
advice and consent of the senate, from a group of five candidates 2321
selected pursuant to a procedure adopted by the ~~college's~~ 2322
university's student governments and approved by the ~~college's~~ 2323
university's board of trustees. The initial term of office of one 2324
of the student members shall commence ~~ninety days after the~~ 2325
~~effective date of this amendment~~ December 22, 2008, and shall 2326
expire on June 30, 2009, and the initial term of office of the 2327
other student member shall commence ~~ninety days after the~~ 2328
~~effective date of this amendment~~ December 22, 2008, and shall 2329
expire on June 30, 2010. Thereafter, terms of office of student 2330
members shall be for two years, each term ending on the same day 2331
of the same month of the year as the term it succeeds. In the 2332
event that a student member cannot fulfill a two-year term, a 2333
replacement shall be selected to fill the unexpired term in the 2334
same manner used to make the original selection. 2335

Sec. 3350.11. The board of trustees of the ~~northeastern~~ 2336
northeast Ohio ~~universities college of medicine~~ medical university 2337
shall annually elect from ~~their~~ its members a ~~chairman~~ chairperson 2338
and a ~~vice-chairman;~~ vice-chairperson. The board may also 2339
appoint a secretary of the board, a treasurer, and such other 2340
officers of the ~~college~~ university as the interest of the ~~college~~ 2341
university requires, who may be members of the board, ~~and they.~~ 2342
The board may also appoint boards or commissions to assist the 2343

officers of the ~~college~~ university with its operation. The 2344
treasurer, before entering upon the discharge of ~~his~~ the official 2345
duties of treasurer, shall give bond to the state for the faithful 2346
performance of ~~his~~ the official duties of treasurer and the proper 2347
accounting for all moneys coming into ~~his~~ the treasurer's care. 2348
The amount of the bonds shall be determined by the board, but 2349
shall not be for a sum less than the estimated amount which may 2350
come into ~~his~~ the treasurer's control at any time. The bonds shall 2351
be approved by the attorney general. 2352

Sec. 3350.12. The board of trustees of the ~~northeastern~~ 2353
~~northeast~~ Ohio ~~universities college of medicine~~ medical university 2354
shall employ, fix the compensation of, and remove, the president, 2355
~~who shall be called the provost,~~ and such number of professors, 2356
teachers, officers, and other employees as are considered 2357
necessary. The board shall do all things necessary for the 2358
creation, proper maintenance, and successful and continuous 2359
operation of the ~~college~~ university and may adopt and from time to 2360
time amend bylaws, rules, and regulations for the conduct of the 2361
board and the government and conduct of the ~~college~~ university. 2362
The board may accept donations of lands and moneys for the 2363
purposes of the ~~college~~ university. 2364

Sec. 3350.13. The board of trustees of the ~~northeastern~~ 2365
~~northeast~~ Ohio ~~universities college of medicine~~ medical university 2366
may receive and hold in trust, for the use and benefit of the 2367
~~college~~ university, any grant or devise of land, and any donation 2368
or bequest of money or other personal property, to be applied to 2369
the general or special use of the ~~college~~ university, unless 2370
otherwise directed in the donation or bequest. The board may make 2371
and enter into all contracts and agreements necessary or 2372
incidental to the operation of the ~~college~~ university. 2373

Sec. 3350.14. The general assembly shall support the 2374
~~northeastern northeast~~ Ohio ~~universities college of medicine~~ 2375
medical university by such sums and in such manner as it may 2376
provide, but support may come from other sources. No state funds 2377
shall be provided under this section unless ~~such college~~ the 2378
university meets the requirements of section 3333.11 of the 2379
Revised Code. 2380

Section 2. That existing sections 145.01, 145.011, 151.04, 2381
154.01, 185.03, 185.05, 3304.30, 3305.01, 3333.045, 3333.11, 2382
3333.111, 3333.611, 3334.01, 3345.04, 3345.12, 3345.121, 3345.17, 2383
3345.201, 3345.28, 3345.281, 3345.31, 3345.32, 3345.34, 3345.50, 2384
3345.51, 3345.71, 3350.10, 3350.11, 3350.12, 3350.13, and 3350.14 2385
of the Revised Code are hereby repealed. 2386

Section 3. That Sections 371.10, 371.20.80, and 371.40.90 of 2387
Am. Sub. H.B. 1 of the 128th General Assembly be amended to read 2388
as follows: 2389

Sec. 371.10. BOR BOARD OF REGENTS 2390

General Revenue Fund 2391

GRF 235321	Operating Expenses	\$	2,366,640	\$	2,366,640	2392
GRF 235401	Lease Rental Payments	\$	124,461,100	\$	107,897,100	2393
GRF 235402	Sea Grants	\$	300,000	\$	300,000	2394
GRF 235406	Articulation and	\$	2,531,700	\$	2,531,700	2395
	Transfer					
GRF 235408	Midwest Higher	\$	95,000	\$	95,000	2396
	Education Compact					
GRF 235409	Information System	\$	937,800	\$	937,800	2397
GRF 235414	State Grants and	\$	1,414,366	\$	1,414,366	2398
	Scholarship					
	Administration					

GRF 235417	Ohio Learning Network	\$	2,723,320	\$	2,723,320	2399
GRF 235428	Appalachian New Economy Partnership	\$	819,295	\$	819,295	2400
GRF 235433	Economic Growth Challenge	\$	511,715	\$	511,715	2401
GRF 235438	Choose Ohio First Scholarship	\$	12,927,304	\$	15,845,591	2402
GRF 235442	Teacher Fellowship	\$	0	\$	2,500,000	2403
GRF 235443	Adult Basic and Literacy Education - State	\$	7,302,416	\$	7,302,416	2404
GRF 235444	Post-Secondary Adult Career-Technical Education	\$	15,317,549	\$	15,317,547	2405
GRF 235474	Area Health Education Centers Program Support	\$	1,059,078	\$	1,059,078	2406
GRF 235501	State Share of Instruction	\$	1,677,708,351	\$	1,689,554,971	2407
GRF 235502	Student Support Services	\$	692,974	\$	692,974	2408
GRF 235504	War Orphans Scholarships	\$	4,331,089	\$	4,331,089	2409
GRF 235507	OhioLINK	\$	6,433,313	\$	6,433,313	2410
GRF 235508	Air Force Institute of Technology	\$	1,785,439	\$	1,785,439	2411
GRF 235510	Ohio Supercomputer Center	\$	3,719,354	\$	3,719,354	2412
GRF 235511	Cooperative Extension Service	\$	23,518,608	\$	22,467,678	2413
GRF 235513	Ohio University Voinovich School	\$	326,000	\$	326,000	2414
GRF 235514	Central State	\$	12,109,106	\$	12,109,106	2415

	Supplement				
GRF 235515	Case Western Reserve University School of Medicine	\$	2,525,003	\$	2,525,003 2416
GRF 235519	Family Practice	\$	3,724,923	\$	3,724,923 2417
GRF 235520	Shawnee State Supplement	\$	2,577,393	\$	2,577,393 2418
GRF 235521	The Ohio State University John Glenn School of Public Affairs	\$	277,500	\$	277,500 2419
GRF 235524	Police and Fire Protection	\$	119,793	\$	119,793 2420
GRF 235525	Geriatric Medicine	\$	614,295	\$	614,295 2421
GRF 235526	Primary Care Residencies	\$	1,839,083	\$	1,839,083 2422
GRF 235535	Ohio Agricultural Research and Development Center	\$	34,000,000	\$	34,000,000 2423
GRF 235536	The Ohio State University Clinical Teaching	\$	11,375,225	\$	11,375,225 2424
GRF 235537	University of Cincinnati Clinical Teaching	\$	9,355,968	\$	9,355,968 2425
GRF 235538	University of Toledo Clinical Teaching	\$	7,292,471	\$	7,292,471 2426
GRF 235539	Wright State University Clinical Teaching	\$	3,542,823	\$	3,542,823 2427
GRF 235540	Ohio University Clinical Teaching	\$	3,424,956	\$	3,424,956 2428
GRF 235541	Northeastern <u>Northeast</u>	\$	3,522,563	\$	3,522,563 2429

	Ohio Universities				
	College of Medicine				
	<u>Medical University</u>				
	Clinical Teaching				
GRF 235552	Capital Component	\$	20,382,568	\$	20,382,568
GRF 235555	Library Depositories	\$	1,477,274	\$	1,477,274
GRF 235556	Ohio Academic	\$	3,253,866	\$	3,253,866
	Resources Network				
GRF 235558	Long-term Care	\$	217,000	\$	217,000
	Research				
GRF 235563	Ohio College	\$	95,000,000	\$	76,000,000
	Opportunity Grant				
GRF 235567	Central State	\$	1,775,254	\$	0
	University Speed to				
	Scale				
GRF 235572	The Ohio State	\$	901,703	\$	901,703
	University Clinic				
	Support				
GRF 235579	Bliss Institute	\$	257,474	\$	257,474
GRF 235596	Hazardous Materials	\$	373,858	\$	373,858
	Program				
GRF 235599	National Guard	\$	14,912,271	\$	14,912,271
	Scholarship Program				
GRF 235644	State Share of	\$	309,874,026	\$	308,802,662
	Instruction - Federal				
	Stimulus - Education				
GRF 235909	Higher Education	\$	105,392,500	\$	86,937,900
	General Obligation				
	Debt Service				
TOTAL GRF	General Revenue Fund	\$	2,541,401,307	\$	2,500,750,064
	General Services Fund Group				2443
2200 235614	Program Approval and	\$	1,000,000	\$	1,000,000
	Reauthorization				2444

4560	235603	Sales and Services	\$	200,000	\$	200,000	2445
TOTAL GSF General Services							2446
Fund Group			\$	1,200,000	\$	1,200,000	2447
Federal Special Revenue Fund Group							2448
3120	235609	Tech Prep	\$	183,849	\$	183,849	2449
3120	235611	Gear-up Grant	\$	3,900,000	\$	3,900,000	2450
3120	235612	Carl D. Perkins Grant/Plan Administration	\$	912,961	\$	912,961	2451
3120	235617	Improving Teacher Quality Grant	\$	3,200,000	\$	3,200,000	2452
3120	235641	Adult Basic Literacy Education - Federal	\$	17,869,546	\$	17,869,546	2453
3BE0	235636	Adult Education and Family Literacy Act Incentive Grant	\$	1,783,583	\$	1,783,583	2454
3BG0	235626	Star Schools	\$	250,000	\$	0	2455
3H20	235608	Human Services Project	\$	3,500,000	\$	3,500,000	2456
3N60	235605	State Student Incentive Grants	\$	2,533,339	\$	2,533,339	2457
3N60	235638	College Access Challenge Grant	\$	2,268,044	\$	2,268,044	2458
TOTAL FED Federal Special Revenue							2459
Fund Group			\$	36,401,322	\$	36,151,322	2460
State Special Revenue Fund Group							2461
4E80	235602	Higher Educational Facility Commission Administration	\$	30,000	\$	30,000	2462
6490	235607	The Ohio State University Highway/Transportation	\$	500,000	\$	500,000	2463

Research				
6820	235606	Nursing Loan Program	\$ 893,000 \$ 893,000	2464
TOTAL SSR State Special Revenue				2465
Fund Group			\$ 1,423,000 \$ 1,423,000	2466
Third Frontier Research & Development Fund Group				2467
7011	235634	Research Incentive	\$ 8,000,000 \$ 8,000,000	2468
Third Frontier Fund				
TOTAL 011 Third Frontier Research & Development Fund Group			\$ 8,000,000 \$ 8,000,000	2469
TOTAL ALL BUDGET FUND GROUPS			\$ 2,588,425,629 \$ 2,547,524,386	2470

Sec. 371.20.80. STATE SHARE OF INSTRUCTION FORMULAS 2472

The Chancellor of the Board of Regents shall establish 2473
procedures to allocate the foregoing appropriation items 235501, 2474
State Share of Instruction, and 235644, State Share of Instruction 2475
- Federal Stimulus - Education, based on the formulas, enrollment, 2476
course completion, degree attainment, and student access factors 2477
in the instructional models set out in this section. 2478

The foregoing appropriation items 235501, State Share of 2479
Instruction, and 235644, State Share of Instruction - Federal 2480
Stimulus - Education, shall be combined for the purposes of 2481
allocating the state share of instruction subsidy. 2482

(A) FULL-TIME EQUIVALENT (FTE) ENROLLMENTS AND COMPLETIONS 2483

(1) As soon as possible during each fiscal year of the 2484
biennium ending June 30, 2011, in accordance with instructions of 2485
the Board of Regents, each state-assisted institution of higher 2486
education shall report its actual enrollment, consistent with the 2487
definitions in the Higher Education Information (HEI) system's 2488
enrollment files, to the Chancellor of the Board of Regents. 2489

(2) In defining the number of full-time equivalent students 2490
for state subsidy purposes, the Chancellor of the Board of Regents 2491

shall exclude all undergraduate students who are not residents of Ohio, except those charged in-state fees in accordance with reciprocity agreements made under section 3333.17 of the Revised Code or employer contracts entered into under section 3333.32 of the Revised Code.

(3) In calculating the core subsidy entitlements for university branch and main campuses, the Chancellor of the Board of Regents shall use the following count of FTE students:

(a) The subsidy eligible enrollments by model shall equal only those FTE students who successfully complete the course as defined and reported through the Higher Education Information (HEI) system course enrollment file;

(b) For those FTE students with successful course completions, identified in division (3)(a) of this section, completions that were achieved by a student that was eligible to receive Ohio need-based financial aid shall have their enrollments weighted by the following:

(i) Campus-specific course completion rates by discipline area and level; and

(ii) A statewide average OIG/OCOG course completion weight determined for each discipline area and level. The statewide average OIG/OCOG course completion weight shall be determined by calculating the difference between the percentage of traditional students who complete a course and the percentage of Ohio Instructional Grant and Ohio College Opportunity Grant recipients who complete the same course.

(4) In calculating the core subsidy entitlements for Medical II models only, the Board of Regents shall use the following count of FTE students:

(a) For those medical schools whose current year enrollment, including students repeating terms, is below the base enrollment,

the Medical II FTE enrollment shall equal: 65 per cent of the base		2523
enrollment plus 35 per cent of the current year enrollment		2524
including students repeating terms, where the base enrollment is:		2525
The Ohio State University	1010	2526
University of Cincinnati	833	2527
University of Toledo	650	2528
Wright State University	433	2529
Ohio University	433	2530
Northeastern <u>Northeast</u> Ohio Universities	433	2531
College of Medicine <u>Medical University</u>		

(b) For those medical schools whose current year enrollment, 2532
excluding students repeating terms, is equal to or greater than 2533
the base enrollment, the Medical II FTE enrollment shall equal the 2534
base enrollment plus the FTE for repeating students. 2535

(c) Students repeating terms may be no more than five per 2536
cent of current year enrollment. 2537

(5) The state share of instruction to state-supported 2538
universities for students enrolled in law schools in fiscal year 2539
2010 and fiscal year 2011 shall be calculated by using the number 2540
of subsidy-eligible FTE law school students funded by state 2541
subsidy in fiscal year 1995 or the actual number of 2542
subsidy-eligible FTE law school students at the institution in the 2543
fiscal year, whichever is less. 2544

(B) TOTAL COSTS PER FULL-TIME EQUIVALENT STUDENT 2545

For purposes of calculating state share of instruction 2546
allocations, the total instructional costs per full-time 2547
equivalent student shall be: 2548

Model	Fiscal	Fiscal	
	Year 2010	Year 2011	
ARTS AND HUMANITIES 1	\$7,658	\$7,891	2550
ARTS AND HUMANITIES 2	\$10,117	\$10,425	2551

ARTS AND HUMANITIES 3	\$13,067	\$13,464	2552
ARTS AND HUMANITIES 4	\$19,194	\$19,778	2553
ARTS AND HUMANITIES 5	\$29,994	\$30,906	2554
ARTS AND HUMANITIES 6	\$35,991	\$37,085	2555
BUSINESS, EDUCATION & SOCIAL SCIENCES 1	\$6,732	\$6,937	2556
BUSINESS, EDUCATION & SOCIAL SCIENCES 2	\$7,803	\$8,041	2557
BUSINESS, EDUCATION & SOCIAL SCIENCES 3	\$9,619	\$9,911	2558
BUSINESS, EDUCATION & SOCIAL SCIENCES 4	\$11,607	\$11,959	2559
BUSINESS, EDUCATION & SOCIAL SCIENCES 5	\$18,044	\$18,592	2560
BUSINESS, EDUCATION & SOCIAL SCIENCES 6	\$22,615	\$23,303	2561
BUSINESS, EDUCATION & SOCIAL SCIENCES 7	\$27,528	\$28,365	2562
MEDICAL 1	\$47,494	\$48,938	2563
MEDICAL 2	\$45,420	\$46,801	2564
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$6,943	\$7,154	2565
MEDICINE 1			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$9,792	\$10,090	2566
MEDICINE 2			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$11,963	\$12,327	2567
MEDICINE 3			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$15,282	\$15,747	2568
MEDICINE 4			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$19,471	\$20,063	2569
MEDICINE 5			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$21,771	\$22,433	2570
MEDICINE 6			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$27,906	\$28,755	2571
MEDICINE 7			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$36,547	\$37,658	2572
MEDICINE 8			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	\$51,283	\$52,842	2573
MEDICINE 9			
Doctoral I and Doctoral II models shall be allocated in			2574
accordance with division (D)(2) of this section.			2575

(C) SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICAL, 2576
 AND GRADUATE WEIGHTS 2577

For the purpose of implementing the recommendations of the 2578
 State Share of Instruction Consultation and the Higher Education 2579
 Funding Study Council that priority be given to maintaining state 2580
 support for science, technology, engineering, mathematics, 2581
 medicine, and graduate programs, the costs in division (B) of this 2582
 section shall be weighted by the amounts provided below: 2583

Model	Fiscal Year 2010	Fiscal Year 2011	
ARTS AND HUMANITIES 1	1.0000	1.0000	2585
ARTS AND HUMANITIES 2	1.0000	1.0000	2586
ARTS AND HUMANITIES 3	1.0000	1.0000	2587
ARTS AND HUMANITIES 4	1.0000	1.0000	2588
ARTS AND HUMANITIES 5	1.0425	1.0425	2589
ARTS AND HUMANITIES 6	1.0425	1.0425	2590
BUSINESS, EDUCATION & SOCIAL SCIENCES 1	1.0000	1.0000	2591
BUSINESS, EDUCATION & SOCIAL SCIENCES 2	1.0000	1.0000	2592
BUSINESS, EDUCATION & SOCIAL SCIENCES 3	1.0000	1.0000	2593
BUSINESS, EDUCATION & SOCIAL SCIENCES 4	1.0000	1.0000	2594
BUSINESS, EDUCATION & SOCIAL SCIENCES 5	1.0425	1.0425	2595
BUSINESS, EDUCATION & SOCIAL SCIENCES 6	1.0425	1.0425	2596
BUSINESS, EDUCATION & SOCIAL SCIENCES 7	1.0425	1.0425	2597
MEDICAL 1	1.6456	1.6456	2598
MEDICAL 2	1.7462	1.7462	2599
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 1	1.0000	1.0000	2600
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 2	1.0017	1.0017	2601
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 3	1.6150	1.6150	2602
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.6920	1.6920	2603

MEDICINE 4			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.4222	1.4222	2604
MEDICINE 5			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.8798	1.8798	2605
MEDICINE 6			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.4380	1.4380	2606
MEDICINE 7			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.5675	1.5675	2607
MEDICINE 8			
SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,	1.1361	1.1361	2608
MEDICINE 9			
(D) CALCULATION OF STATE SHARE OF INSTRUCTION FORMULA			2609
ENTITLEMENTS AND ADJUSTMENTS			2610
(1) Of the foregoing appropriation items 235501, State Share			2611
of Instruction, and 235644, State Share of Instruction - Federal			2612
Stimulus - Education, 5 per cent of the appropriation for			2613
state-supported community colleges, state community colleges, and			2614
technical colleges in fiscal year 2011 shall be allocated to			2615
colleges in proportion to their share of college student success			2616
factors. In fiscal year 2011, student success factors shall			2617
include all measureable student outcomes that contribute to			2618
student achievement as determined by the Chancellor of the Board			2619
of Regents based on the recommendation of the consultation created			2620
in the Section of this act <u>sections of Am. Sub. H.B. 1 of the</u>			2621
<u>128th General Assembly</u> entitled "Studies to Determine Weights for			2622
Fiscal Year 2011 State Share of Instruction Formula."			2623
(2) Of the foregoing appropriation items 235501, State Share			2624
of Instruction, and 235644, State Share of Instruction - Federal			2625
Stimulus - Education, up to 12.89 per cent of the appropriation			2626
for university main campuses in each fiscal year shall be reserved			2627
for support of doctoral programs to implement the funding			2628
recommendations made by representatives of the universities. The			2629

amount so reserved shall be referred to as the doctoral set-aside. 2630

The doctoral set-aside shall be allocated to universities as 2631
follows: 2632

(a) 90 per cent of the doctoral set-aside in fiscal year 2010 2633
and 80 per cent of the doctoral set-aside in fiscal year 2011 2634
shall be allocated to universities in proportion to their share of 2635
the total number of Doctoral I equivalent FTEs as calculated on an 2636
institutional basis using the greater of the two-year or five-year 2637
FTEs for the period fiscal year 1994 through fiscal year 1998 with 2638
annualized FTEs for fiscal years 1994 through 1997 and all-term 2639
FTEs for fiscal year 1998 as adjusted to reflect the effects of 2640
doctoral review and subsequent changes in Doctoral I equivalent 2641
enrollments. For the purposes of this calculation, Doctoral I 2642
equivalent FTEs shall equal the sum of Doctoral I FTEs plus 1.5 2643
times the sum of Doctoral II FTEs. 2644

(b) 5 per cent of the doctoral set-aside in fiscal year 2010 2645
and 10 per cent of the doctoral set-aside in fiscal year 2011 2646
shall be allocated to universities in proportion to each campus's 2647
share of the total statewide doctoral degrees, weighted by the 2648
cost of the doctoral discipline. In calculating each campus's 2649
doctoral degrees the Chancellor of the Board of Regents shall use 2650
the three-year average doctoral degrees awarded for the three-year 2651
period ending in the prior year. 2652

(c) 2.5 per cent of the doctoral set-aside in fiscal year 2653
2010 and 5 per cent of the doctoral set-aside in fiscal year 2011 2654
shall be allocated to universities in proportion to their share of 2655
research grant activity, using data collected and published by the 2656
National Science Foundation. Grant awards from the National Health 2657
Institute shall be weighted at 50 per cent. 2658

(d) 2.5 per cent of the doctoral set-aside in fiscal year 2659
2010 and 5 per cent of the doctoral set-aside in fiscal year 2011 2660

shall be allocated to universities based on other quality measures 2661
that contribute to the advancement of the Chancellor's strategic 2662
plan. These other quality measures shall be identified by the 2663
Chancellor in consultation with universities. If for any reason 2664
metrics for distributing the quality component of the doctoral 2665
set-aside are not identified prior to the fiscal year allocation 2666
process, this portion of the doctoral set-aside funds shall be 2667
allocated to universities based on division (D)(2)(a) of this 2668
section. 2669

(3) Of the foregoing appropriation items 235501, State Share 2670
of Instruction, and 235644, State Share of Instruction - Federal 2671
Stimulus - Education, 6.96 per cent of the appropriation for 2672
university main campuses in each fiscal year shall be reserved for 2673
support of Medical II FTEs. The amount so reserved shall be 2674
referred to as the medical II set-aside. 2675

The medical II set-aside shall be allocated to universities 2676
in proportion to their share of the total number of Medical II 2677
FTEs as calculated in division (A) of this section, weighted by 2678
model cost. 2679

(4) Of the foregoing appropriation items 235501, State Share 2680
of Instruction, and 235644, State Share of Instruction - Federal 2681
Stimulus - Education, 1.61 per cent of the appropriation for 2682
university main campuses in each fiscal year shall be reserved for 2683
support of Medical I FTEs. The amount so reserved shall be 2684
referred to as the medical I set-aside. 2685

The medical I set-aside shall be allocated to universities in 2686
proportion to their share of the total number of Medical I FTEs as 2687
calculated in division (A) of this section. 2688

(5) Of the foregoing appropriation items 235501, State Share 2689
of Instruction, and 235644, State Share of Instruction - Federal 2690
Stimulus - Education, 5 per cent of the fiscal year 2010 2691

appropriation for university main campuses and 10 per cent of the 2692
fiscal year 2011 appropriation for university main campuses shall 2693
be reserved for support of associate, baccalaureate, master's, and 2694
professional level degree attainment. 2695

The degree attainment funding shall be allocated to 2696
universities in proportion to each campus's share of the total 2697
statewide degrees granted, weighted by the cost of the degree 2698
programs. 2699

In calculating the subsidy entitlements for degree attainment 2700
at university main campuses, the Chancellor of the Board of 2701
Regents shall use the following count of degrees and degree costs: 2702

(a) For those associate degrees awarded by a state-supported 2703
university, the subsidy eligible degrees granted are defined as 2704
only those earned by students attending a university that received 2705
funding under GRF appropriation item 235418, Access Challenge, in 2706
fiscal year 2009. 2707

(b) In calculating each campus's count of degrees, the 2708
Chancellor of the Board of Regents shall use the three-year 2709
average associate, baccalaureate, master's, and professional 2710
degrees awarded for the three-year period ending in the prior 2711
year. 2712

Eligible associate degrees defined in division (D)(5)(a) of 2713
this section and all bachelor's degrees earned by a student that 2714
was eligible to receive Ohio need-based financial aid shall have 2715
their associates degree cost weighted by a statewide OIG/OCOG 2716
degree completion weight. 2717

The statewide average OIG/OCOG degree completion weight shall 2718
be determined by calculating the difference between the percentage 2719
of traditional students who earned a degree and the percentage of 2720
Ohio Instructional Grant and Ohio College Opportunity Grant 2721
recipients who earned a degree during the same time period. 2722

(6) Each campus's state share of instruction base formula	2723
earnings shall be determined as follows:	2724
(a) For each campus in each fiscal year, the instructional	2725
costs shall be determined by multiplying the amounts listed above	2726
in divisions (B) and (C) of this section by (i) average	2727
subsidy-eligible FTEs for the two-year period ending in the prior	2728
year for all models except Doctoral I and Doctoral II; and (ii)	2729
average subsidy-eligible FTEs for the five-year period ending in	2730
the prior year for all models except Doctoral I and Doctoral II.	2731
(b) The Chancellor of the Board of Regents shall compute the	2732
two calculations listed in division (D)(6)(a) of this section and	2733
use the greater amount as each campus's instructional costs.	2734
(c) The Chancellor of the Board of Regents shall compute a	2735
uniform state share of instructional costs for each sector.	2736
(i) For the state supported community colleges, state	2737
community colleges, and technical colleges, the Chancellor of the	2738
Board of Regents shall compute the uniform state share of	2739
institutional costs by dividing the earmark in division (C)(1) of	2740
Section 371.20.90 of this act <u>Am. Sub. H.B. 1 of the 128th General</u>	2741
<u>Assembly</u> , less the student college success allocation as described	2742
in division (D)(1) of this section, by the sum of all eligible	2743
campuses' instructional costs as calculated in division (D)(6)(b)	2744
of this section.	2745
(ii) For the state supported university branch campuses, the	2746
Chancellor of the Board of Regents shall compute the uniform state	2747
share of institutional costs by dividing the earmark in division	2748
(C)(2) of Section 371.20.90 of this act <u>Am. Sub. H.B. 1 of the</u>	2749
<u>128th General Assembly</u> by the sum of all campuses' instructional	2750
costs as calculated in division (D)(6)(b) of this section.	2751
(iii) For the state supported university main campuses, the	2752
Chancellor of the Board of Regents shall compute the uniform state	2753

share of institutional costs by dividing the earmark in division 2754
(C)(3) of Section 371.20.90 of ~~this act~~ Am. Sub. H.B. 1 of the 2755
128th General Assembly, less the doctoral set-aside, less the 2756
medical I set-aside, less the medical II set-aside, and less the 2757
degree attainment funding as calculated in divisions (D)(2) to (5) 2758
of this section, by the sum of all campuses' instructional costs 2759
as calculated in division (D)(6)(b) of this section. 2760

(d) The formula entitlement for each sector's campuses shall 2761
be determined by multiplying the uniform state share of costs 2762
calculated in division (D)(6)(c) of this section by the campus's 2763
instructional cost determined in division (D)(6)(b) of this 2764
section. 2765

(7) In addition to the student success allocation, doctoral 2766
set-aside, medical I set-aside, medical II set-aside, and the 2767
degree attainment allocation determined in ~~division~~ divisions 2768
(D)(1) to (D)(5) of this section and the formula entitlement 2769
determined in division (D)(6) of this section, an allocation based 2770
on facility-based plant operations and maintenance (POM) subsidy 2771
shall be made. For each eligible campus, the amount of the POM 2772
allocation in each fiscal year shall be distributed based on what 2773
each campus received in the fiscal year 2009 POM allocation. 2774

Any POM allocations required by this division shall be funded 2775
by proportionately reducing formula entitlement earnings, 2776
including the POM allocations, for all campuses in that sector. 2777

(8) STABILITY IN STATE SHARE OF INSTRUCTION FUNDING 2778

In addition to and after the adjustments noted above, in 2779
fiscal year 2010, no campus shall receive a state share of 2780
instruction allocation that is less than 99 per cent of the prior 2781
year's combined state share of instruction, access challenge, and 2782
success challenge amounts. Funds shall be made available to 2783
support this allocation by proportionately reducing formula 2784

entitlement earnings from those campuses, within each sector, that 2785
are not receiving stability funding. 2786

In fiscal year 2011, in addition to and after the adjustments 2787
noted above, no campus shall receive a state share of instruction 2788
allocation that is less than 98 per cent of the prior year's 2789
combined state share of instruction, access challenge, and success 2790
challenge amounts. Funds shall be made available to support this 2791
allocation by proportionately reducing formula entitlement 2792
earnings from those campuses, within each sector, that do not 2793
receive stability funding. 2794

(9) CAPITAL COMPONENT DEDUCTION 2795

After all other adjustments have been made, state share of 2796
instruction earnings shall be reduced for each campus by the 2797
amount, if any, by which debt service charged in Am. H.B. 748 of 2798
the 121st General Assembly, Am. Sub. H.B. 850 of the 122nd General 2799
Assembly, Am. Sub. H.B. 640 of the 123rd General Assembly, H.B. 2800
675 of the 124th General Assembly, Am. Sub. H.B. 16 of the 126th 2801
General Assembly, and Am. Sub. H.B. 699 of the 126th General 2802
Assembly, Am. Sub. H.B. 496 of the 127th General Assembly, and Am. 2803
Sub. H.B. 562 of the 127th General Assembly for that campus 2804
exceeds that campus's capital component earnings. The sum of the 2805
amounts deducted shall be transferred to appropriation item 2806
235552, Capital Component, in each fiscal year. 2807

(E) EXCEPTIONAL CIRCUMSTANCES 2808

Adjustments may be made to the state share of instruction 2809
payments and other subsidies distributed by the Chancellor of the 2810
Board of Regents to state-assisted colleges and universities for 2811
exceptional circumstances. No adjustments for exceptional 2812
circumstances may be made without the recommendation of the 2813
Chancellor and the approval of the Controlling Board. 2814

(F) APPROPRIATION REDUCTIONS TO THE STATE SHARE OF 2815

INSTRUCTION	2816
The standard provisions of the state share of instruction calculation as described in the preceding sections of temporary law shall apply to any reductions made to appropriation items 235501, State Share of Instruction, and 235644, State Share of Instruction - Federal Stimulus - Education, before the Board of Regents has formally approved the final allocation of the state share of instruction funds for any fiscal year.	2817 2818 2819 2820 2821 2822 2823
Any reductions made to appropriation items 235501, State Share of Instruction, and 235644, State Share of Instruction - Federal Stimulus - Education, after the Board of Regents has formally approved the final allocation of the state share of instruction funds for any fiscal year, shall be uniformly applied to each campus in proportion to its share of the final allocation.	2824 2825 2826 2827 2828 2829
(G) DISTRIBUTION OF STATE SHARE OF INSTRUCTION	2830
The state share of instruction payments to the institutions shall be in substantially equal monthly amounts during the fiscal year, unless otherwise determined by the Director of Budget and Management pursuant to section 126.09 of the Revised Code. Payments during the first six months of the fiscal year shall be based upon the state share of instruction appropriation estimates made for the various institutions of higher education according to the Chancellor of the Board of Regents enrollment estimates. Payments during the last six months of the fiscal year shall be distributed after approval of the Controlling Board upon the request of the Board of Regents.	2831 2832 2833 2834 2835 2836 2837 2838 2839 2840 2841
Sec. 371.40.90. STATE UNIVERSITY CLINICAL TEACHING	2842
The foregoing appropriation items 235536, The Ohio State University Clinical Teaching; 235537, University of Cincinnati Clinical Teaching; 235538, University of Toledo Clinical Teaching;	2843 2844 2845

235539, Wright State University Clinical Teaching; 235540, Ohio University Clinical Teaching; and 235541, ~~Northeastern~~ Northeast Ohio Universities College of Medicine Medical University Clinical Teaching, shall be distributed through the Chancellor of the Board of Regents.

Section 4. That existing Sections 371.10, 371.20.80, and 371.40.90 of Am. Sub. H.B. 1 of the 128th General Assembly are hereby repealed.

Section 5. That Section 105.45.20 of Sub. H.B. 462 of the 128th General Assembly be amended to read as follows:

Reappropriations

Sec. 105.45.20.	NEM NORTHEASTERN <u>NORTHEAST</u> OHIO UNIVERSITIES			2856
	COLLEGE OF MEDICINE <u>MEDICAL UNIVERSITY</u>			2857
C30500	Basic Renovations	\$	338,129	2858
C30501	Cooperating Regional Library Depository - Northeastern	\$	582,218	2859
C30505	Campus Network Expansion	\$	8,676	2860
C30515	Building Envelope Restoration	\$	2,068	2861
C30519	Steam to Hot Water Heating Conversion	\$	1,488,560	2862
Total	Northeastern <u>Northeast</u> Ohio Universities College of Medicine <u>Medical University</u>	\$	2,419,651	2863

Section 6. That existing Section 105.45.20 of Sub. H.B. 462 of the 128th General Assembly is hereby repealed.

Section 7. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to allow the renaming of the Northeast Ohio Medical University to take effect in time for the 2011 commencement in recognition of the achievements of the new graduates. Therefore, this act shall

go into immediate effect.

2873