

As Introduced

**129th General Assembly
Regular Session
2011-2012**

H. B. No. 471

Representatives Gerberry, O'Brien

**Cosponsors: Representatives Murray, Lundy, Cera, Fende, Reece, Ashford,
Stinziano, Hagan, R., Pillich, Antonio, Yuko, Letson**

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A B I L L

To amend Section 757.10 of Am. Sub. H.B. 153 of the 1
129th General Assembly to increase Local 2
Government Fund distributions to equal, for the 3
remaining months of fiscal year 2012, 3% over 4
fiscal year 2011 levels and, for fiscal year 2013, 5
6% over fiscal year 2011 levels. 6

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

Section 1. That Section 757.10 of Am. Sub. H.B. 153 of the 7
129th General Assembly be amended to read as follows: 8

Sec. 757.10. ADJUSTMENT TO LOCAL GOVERNMENT DISTRIBUTIONS 9

(A) On or before the tenth day of each month of the period 10
beginning August 1, 2011, and ending June 30, 2013, the Tax 11
Commissioner shall determine and certify to the Director of Budget 12
and Management the amount to be credited during that month to the 13
Local Government Fund and Public Library Fund pursuant to 14
divisions (B) to (D) of this section. 15

(B) Notwithstanding any provision of section 131.51 of the 16
Revised Code to the contrary, for each month in the period 17
beginning August 1, 2011, and ending June 30, 2013: 18

(1) The amount credited first to the Local Government Fund shall be as provided in division (C) of this section;	19 20
(2) The amount credited next to the Public Library Fund shall be according to the schedule in division (D) of this section.	21 22
(C) Pursuant to division (B)(1) of this section, amounts shall be credited from revenue arising from the personal income tax levied under Chapter 5747. of the Revised Code <u>the General Revenue Fund</u> to the Local Government Fund as follows:	23 24 25 26
(1)(a) In August 2011, seventy five per cent of the amount credited in August 2010; in August 2012, fifty per cent of the amount credited in August 2010;	27 28 29
(b) In September 2011, seventy five per cent of the amount credited in September 2010; in September 2012, fifty per cent of the amount credited in September 2010;	30 31 32
(c) In October 2011, seventy five per cent of the amount credited in October 2010; in October 2012, fifty per cent of the amount credited in October 2010;	33 34 35
(d) In November 2011, seventy five per cent of the amount credited in November 2010; in November 2012, fifty per cent of the amount credited in November 2010;	36 37 38
(e) In December 2011, seventy five per cent of the amount credited in December 2010; in December 2012, fifty per cent of the amount credited in December 2010;	39 40 41
(f) In January 2012, seventy five per cent of the amount credited in January 2011; in January 2013, fifty per cent of the amount credited in January 2011;	42 43 44
(g) In February 2012, seventy five per cent of the amount credited in February 2011; in February 2013, fifty per cent of the amount credited in February 2011;	45 46 47
(h) In March 2012, seventy five per cent of the amount	48

~~credited in March 2011; in March 2013, fifty per cent of the amount credited in March 2011;~~ 49
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~~(i) In April 2012, seventy five per cent of the amount credited in April 2011; in April 2013, fifty per cent of the amount credited in April 2011;~~ 51
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~~(j) In May 2012, seventy five per cent of the amount credited in May 2011; in May 2013, fifty per cent of the amount credited in May 2011;~~ 54
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~~(k) In June 2012, seventy five per cent of the amount credited in June 2011; in June 2013, fifty per cent of the amount credited in June 2011;~~ 57
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~~(l) In July 2012, fifty per cent of the amount credited in July 2010.~~ 60
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~~(2) For each month in the period beginning August 1, 2011, and ending June 30, 2013, an amount sufficient to make the distributions required for that month under divisions (E)(2)(a), (b), and (c) of this section.~~ 62
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~~(3) For each month in the period beginning August 1, 2011, and ending June 30, 2012, an amount equal to one eleventh of forty nine million two hundred seventy thousand dollars. For each month in the period beginning on the first day of the month that follows the effective date of the amendment of this section by ... B... of the 129th General Assembly and ending June 30, 2012, the amount credited shall equal one hundred three per cent of the amount credited in that respective month in fiscal year 2011.~~ 66
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(2) For each month in the period beginning July 1, 2012, and ending June 30, 2013, the amount credited shall equal one hundred six per cent of the amount credited in that respective month in fiscal year 2011. 74
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(D) Pursuant to division (B)(2) of this section, amounts 78

shall be credited from revenue arising from the kilowatt hour tax	79
and sales tax levied under section 5727.81 or 5739.02 of the	80
Revised Code, respectively, to the Public Library Fund as follows:	81
(1) In August 2011 and in August 2012, ninety-five per cent	82
of the amount credited in August 2010;	83
(2) In September 2011 and in September 2012, ninety-five per	84
cent of the amount credited in September 2010;	85
(3) In October 2011 and in October 2012, ninety-five per cent	86
of the amount credited in October 2010;	87
(4) In November 2011 and in November 2012, ninety-five per	88
cent of the amount credited in November 2010;	89
(5) In December 2011 and in December 2012, ninety-five per	90
cent of the amount credited in December 2010;	91
(6) In January 2012 and in January 2013, ninety-five per cent	92
of the amount credited in January 2011;	93
(7) In February 2012 and in February 2013, ninety-five per	94
cent of the amount credited in February 2011;	95
(8) In March 2012 and in March 2013, ninety-five per cent of	96
the amount credited in March 2011;	97
(9) In April 2012 and in April 2013, ninety-five per cent of	98
the amount credited in April 2011;	99
(10) In May 2012 and in May 2013, ninety-five per cent of the	100
amount credited in May 2011;	101
(11) In June 2012 and in June 2013, ninety-five per cent of	102
the amount credited in June 2011;	103
(12) In July 2012, ninety-five per cent of the amount	104
credited in July 2010.	105
(E) Notwithstanding any other provision of the Revised Code	106
to the contrary, the total amount credited to the Local Government	107

Fund in each month shall be distributed by the tenth day of that month in the following manner:

~~(1) The total amount credited to the Local Government Fund in each month for the period beginning August 1, 2011, and ending June 30, 2013, pursuant to division (C)(1) of this section shall be distributed as follows:~~

~~(a) Each county undivided local government fund shall receive a distribution from the Local Government Fund based on its proportionate share of the total amount received from the fund in that respective month in fiscal year 2011. As used in this section, "total amount received" does not include payments received in fiscal year 2011 under division (C) of section 5725.24 of the Revised Code.~~

~~(b)(2) Each municipal corporation that received a direct distribution in fiscal year 2011 from the Local Government Fund under division (C) of section 5747.50 of the Revised Code shall receive a distribution based on its proportionate share of the total amount of direct distributions made to municipal corporations from the fund in that respective month in fiscal year 2011.~~

~~(2) The total amount credited to the Local Government Fund in each month for the period beginning August 1, 2011, and ending June 30, 2013, pursuant to division (C)(2) of this section shall be distributed as follows:~~

~~(a) If a county undivided local government fund's total distribution in fiscal year 2011 was equal to or less than seven hundred fifty thousand dollars, the fund shall receive a distribution equal to the difference between the amount distributed to the fund in that respective month in fiscal year 2011 and the amount allocated to the fund for the month under divisions (E)(1)(a) and (3) of this section during fiscal year~~

~~2012, and division (E)(1)(a) of this section during fiscal year 2013.~~ 139
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~~(b) For each month in the period beginning August 1, 2011, and ending June 30, 2012, if a county undivided local government fund's total distribution in fiscal year 2011 exceeded seven hundred fifty thousand dollars and if the sum of the amount allocated to the fund in July 2011 and the amounts to be allocated to the fund between August 1, 2011, and June 30, 2012, under divisions (E)(1)(a) and (3) of this section is less than seven hundred fifty thousand dollars, the fund shall receive a distribution equal to one eleventh of the difference between seven hundred fifty thousand dollars and that sum.~~ 141
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~~(c) For each month in the period beginning July 1, 2012, and ending June 30, 2013, if a county undivided local government fund's total distribution in fiscal year 2011 exceeded seven hundred fifty thousand dollars and if the total amount to be allocated to the fund in fiscal year 2013 under division (E)(1)(a) of this section is less than seven hundred fifty thousand dollars, the fund shall receive a distribution equal to one twelfth of the difference between seven hundred fifty thousand dollars and the total amount to be allocated to the fund in fiscal year 2013 under division (E)(1)(a) of this section.~~ 151
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~~(3) The total amount credited to the Local Government Fund in each month for the period beginning August 1, 2011, and ending June 30, 2012, pursuant to division (C)(3) of this section shall be distributed to each county undivided local government fund based on each fund's proportionate share of the total amount received from the Local Government Fund in that respective month in fiscal year 2011. As used in this section, "total amount received" does not include payments received in fiscal year 2011 under division (C) of section 5725.24 of the Revised Code.~~ 161
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(F) Notwithstanding any other provision of the Revised Code 170

to the contrary, by the tenth day of each month of the period 171
beginning July 1, 2011, and ending December 31, 2011, each county 172
undivided public library fund shall receive a distribution from 173
the Public Library Fund equal to the product derived by 174
multiplying the following amounts: 175

(1) The total amount credited to the Public Library Fund in 176
that month; 177

(2) A percentage calculated by multiplying one hundred by the 178
quotient obtained by dividing the sum of the county's 179
distributions from the Public Library Fund during calendar year 180
2010 by the sum of distributions made to all counties from the 181
Public Library Fund during calendar year 2010. 182

(G) Notwithstanding any other provision of the Revised Code 183
to the contrary, by the tenth day of each month of the period 184
beginning January 1, 2012, and ending June 30, 2013, each county 185
undivided public library fund shall receive a distribution from 186
the Public Library Fund equal to the product derived by 187
multiplying the following amounts: 188

(1) The total amount credited to the Public Library Fund in 189
that month; 190

(2) A percentage calculated by multiplying one hundred by the 191
quotient obtained by dividing the sum of the county's 192
distributions from the Public Library Fund during calendar year 193
2011 by the sum of distributions made to all counties from the 194
Public Library Fund during calendar year 2011. 195

(H) For the 2012 and 2013 distribution years, the Tax 196
Commissioner is not required to issue the certifications otherwise 197
required by sections 5747.47, 5747.501, and 5747.51 of the Revised 198
Code, but shall provide to each county auditor by July 20, 2011, 199
and July 20, 2012, an estimate of the amounts to be received by 200
the county in the ensuing year from the Public Library Fund and 201

the Local Government Fund pursuant to this section and any other	202
section of the Revised Code. The Tax Commissioner may report to	203
each county auditor additional revised estimates of the 2011,	204
2012, or 2013 distributions at any time during fiscal years 2012	205
and 2013.	206
Section 2. That existing Section 757.10 of Am. Sub. H.B. 153	207
of the 129th General Assembly is hereby repealed.	208