

AN ACT

To amend sections 126.14, 151.01, 151.04, and 154.21, to enact sections 4501.30, 4501.301, 4501.302, and 4501.303, and to repeal section 3333.072 of the Revised Code to make capital appropriations and make changes related to the laws governing capital projects.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 101.01. That sections 126.14, 151.01, 151.04, and 154.21 be amended and sections 4501.30, 4501.301, 4501.302, and 4501.303 of the Revised Code be enacted to read as follows:

Sec. 126.14. The release of any money appropriated for the purchase of real estate shall be approved by the controlling board. The release of money appropriated for all other capital projects is also subject to the approval of the controlling board, except that the director of budget and management may approve the release of money appropriated for specific projects in accordance with the requirements of this section and except that the director of budget and management may approve the release of unencumbered capital balances, for a project to repair, remove, or prevent a public exigency declared to exist by the director of administrative services under section 123.15 of the Revised Code, in the amount designated in that declaration.

Within sixty days after the effective date of any act appropriating money for capital projects, the director shall determine which appropriations are for general projects and which are for specific projects. Specific projects may include specific higher education projects that are to be funded from general purpose appropriations from the higher education improvement fund or the higher education improvement taxable fund created in section 154.21 of the Revised Code. Upon determining which projects are general and which are specific, the director shall submit to the controlling board a list that includes a brief description of and the estimated expenditures for each specific project. The release of money for any specific higher education projects that are to be funded from general purpose appropriations from the higher education improvement fund or the higher education improvement taxable fund but that are not included on the list, and the release of money for any

specific higher education projects included on the list that will exceed the estimated expenditures by more than ten per cent, are subject to the approval of the controlling board. ~~The~~

The director may create new appropriation ~~line~~ items and make transfers of appropriations to them for specific higher education projects included on the list that are to be funded from general purpose appropriations for basic renovations that are made from the higher education improvement fund or the higher education improvement taxable fund.

Sec. 151.01. (A) As used in sections 151.01 to 151.11 and 151.40 of the Revised Code and in the applicable bond proceedings unless otherwise provided:

(1) "Bond proceedings" means the resolutions, orders, agreements, and credit enhancement facilities, and amendments and supplements to them, or any one or more or combination of them, authorizing, awarding, or providing for the terms and conditions applicable to or providing for the security or liquidity of, the particular obligations, and the provisions contained in those obligations.

(2) "Bond service fund" means the respective bond service fund created by section 151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code, and any accounts in that fund, including all moneys and investments, and earnings from investments, credited and to be credited to that fund and accounts as and to the extent provided in the applicable bond proceedings.

(3) "Capital facilities" means capital facilities or projects as referred to in section 151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code.

(4) "Costs of capital facilities" means the costs of acquiring, constructing, reconstructing, rehabilitating, remodeling, renovating, enlarging, improving, equipping, or furnishing capital facilities, and of the financing of those costs. "Costs of capital facilities" includes, without limitation, and in addition to costs referred to in section 151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code, the cost of clearance and preparation of the site and of any land to be used in connection with capital facilities, the cost of any indemnity and surety bonds and premiums on insurance, all related direct administrative expenses and allocable portions of direct costs of the issuing authority, costs of engineering and architectural services, designs, plans, specifications, surveys, and estimates of cost, financing costs, interest on obligations from their date to the time when interest is to be paid from sources other than proceeds of obligations, amounts necessary to establish

any reserves as required by the bond proceedings, the reimbursement of all moneys advanced or applied by or borrowed from any person or governmental agency or entity for the payment of any item of costs of capital facilities, and all other expenses necessary or incident to planning or determining feasibility or practicability with respect to capital facilities, and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, rehabilitation, remodeling, renovation, enlargement, improvement, equipment, and furnishing of capital facilities, the financing of those costs, and the placing of the capital facilities in use and operation, including any one, part of, or combination of those classes of costs and expenses. For purposes of sections 122.085 to 122.0820 of the Revised Code, "costs of capital facilities" includes "allowable costs" as defined in section 122.085 of the Revised Code.

(5) "Credit enhancement facilities," "financing costs," and "interest" or "interest equivalent" have the same meanings as in section 133.01 of the Revised Code.

(6) "Debt service" means principal, including any mandatory sinking fund or redemption requirements for retirement of obligations, interest and other accreted amounts, interest equivalent, and any redemption premium, payable on obligations. If not prohibited by the applicable bond proceedings, debt service may include costs relating to credit enhancement facilities that are related to and represent, or are intended to provide a source of payment of or limitation on, other debt service.

(7) "Issuing authority" means the Ohio public facilities commission created in section 151.02 of the Revised Code for obligations issued under section 151.03, 151.04, 151.05, 151.07, 151.08, 151.09, 151.10, or 151.11 of the Revised Code, or the treasurer of state, or the officer who by law performs the functions of that office, for obligations issued under section 151.06 or 151.40 of the Revised Code.

(8) "Net proceeds" means amounts received from the sale of obligations, excluding amounts used to refund or retire outstanding obligations, amounts required to be deposited into special funds pursuant to the applicable bond proceedings, and amounts to be used to pay financing costs.

(9) "Obligations" means bonds, notes, or other evidences of obligation of the state, including any appertaining interest coupons, issued under Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of Article VIII, Ohio Constitution, and pursuant to sections 151.01 to 151.11 or 151.40 of the Revised Code or other general assembly authorization.

(10) "Principal amount" means the aggregate of the amount as stated or provided for in the applicable bond proceedings as the amount on which

interest or interest equivalent on particular obligations is initially calculated. Principal amount does not include any premium paid to the state by the initial purchaser of the obligations. "Principal amount" of a capital appreciation bond, as defined in division (C) of section 3334.01 of the Revised Code, means its face amount, and "principal amount" of a zero coupon bond, as defined in division (J) of section 3334.01 of the Revised Code, means the discounted offering price at which the bond is initially sold to the public, disregarding any purchase price discount to the original purchaser, if provided for pursuant to the bond proceedings.

(11) "Special funds" or "funds," unless the context indicates otherwise, means the bond service fund, and any other funds, including any reserve funds, created under the bond proceedings and stated to be special funds in those proceedings, including moneys and investments, and earnings from investments, credited and to be credited to the particular fund. Special funds do not include the school building program assistance fund created by section 3318.25 of the Revised Code, the higher education improvement fund created by division (F) of section 154.21 of the Revised Code, the higher education improvement taxable fund created by division (G) of section 154.21 of the Revised Code, the highway capital improvement bond fund created by section 5528.53 of the Revised Code, the state parks and natural resources fund created by section 1557.02 of the Revised Code, the coal research and development fund created by section 1555.15 of the Revised Code, the clean Ohio conservation fund created by section 164.27 of the Revised Code, the clean Ohio revitalization fund created by section 122.658 of the Revised Code, the job ready site development fund created by section 122.0820 of the Revised Code, the third frontier research and development fund created by section 184.19 of the Revised Code, the third frontier research and development taxable bond fund created by section 184.191 of the Revised Code, or other funds created by the bond proceedings that are not stated by those proceedings to be special funds.

(B) Subject to Section 2l, 2m, 2n, 2o, 2p, 2q, or 15, and Section 17, of Article VIII, Ohio Constitution, the state, by the issuing authority, is authorized to issue and sell, as provided in sections 151.03 to 151.11 or 151.40 of the Revised Code, and in respective aggregate principal amounts as from time to time provided or authorized by the general assembly, general obligations of this state for the purpose of paying costs of capital facilities or projects identified by or pursuant to general assembly action.

(C) Each issue of obligations shall be authorized by resolution or order of the issuing authority. The bond proceedings shall provide for or authorize the manner for determining the principal amount or maximum principal

amount of obligations of an issue, the principal maturity or maturities, the interest rate or rates, the date of and the dates of payment of interest on the obligations, their denominations, and the place or places of payment of debt service which may be within or outside the state. Unless otherwise provided by law, the latest principal maturity may not be later than the earlier of the thirty-first day of December of the twenty-fifth calendar year after the year of issuance of the particular obligations or of the twenty-fifth calendar year after the year in which the original obligation to pay was issued or entered into. Sections 9.96, 9.98, 9.981, 9.982, and 9.983 of the Revised Code apply to obligations. The purpose of the obligations may be stated in the bond proceedings in general terms, such as, as applicable, "financing or assisting in the financing of projects as provided in Section 2l of Article VIII, Ohio Constitution," "financing or assisting in the financing of highway capital improvement projects as provided in Section 2m of Article VIII, Ohio Constitution," "paying costs of capital facilities for a system of common schools throughout the state as authorized by Section 2n of Article VIII, Ohio Constitution," "paying costs of capital facilities for state-supported and state-assisted institutions of higher education as authorized by Section 2n of Article VIII, Ohio Constitution," "paying costs of coal research and development as authorized by Section 15 of Article VIII, Ohio Constitution," "financing or assisting in the financing of local subdivision capital improvement projects as authorized by Section 2m of Article VIII, Ohio Constitution," "paying costs of conservation projects as authorized by Sections 2o and 2q of Article VIII, Ohio Constitution," "paying costs of revitalization projects as authorized by Sections 2o and 2q of Article VIII, Ohio Constitution," "paying costs of preparing sites for industry, commerce, distribution, or research and development as authorized by Section 2p of Article VIII, Ohio Constitution," or "paying costs of research and development as authorized by Section 2p of Article VIII, Ohio Constitution."

(D) The issuing authority may appoint or provide for the appointment of paying agents, bond registrars, securities depositories, clearing corporations, and transfer agents, and may without need for any other approval retain or contract for the services of underwriters, investment bankers, financial advisers, accounting experts, marketing, remarketing, indexing, and administrative agents, other consultants, and independent contractors, including printing services, as are necessary in the judgment of the issuing authority to carry out the issuing authority's functions under this chapter. When the issuing authority is the Ohio public facilities commission, the issuing authority also may without need for any other approval retain or

contract for the services of attorneys and other professionals for that purpose. Financing costs are payable, as may be provided in the bond proceedings, from the proceeds of the obligations, from special funds, or from other moneys available for the purpose.

(E) The bond proceedings may contain additional provisions customary or appropriate to the financing or to the obligations or to particular obligations including, but not limited to, provisions for:

(1) The redemption of obligations prior to maturity at the option of the state or of the holder or upon the occurrence of certain conditions, and at particular price or prices and under particular terms and conditions;

(2) The form of and other terms of the obligations;

(3) The establishment, deposit, investment, and application of special funds, and the safeguarding of moneys on hand or on deposit, in lieu of the applicability of provisions of Chapter 131. or 135. of the Revised Code, but subject to any special provisions of sections 151.01 to 151.11 or 151.40 of the Revised Code with respect to the application of particular funds or moneys. Any financial institution that acts as a depository of any moneys in special funds or other funds under the bond proceedings may furnish indemnifying bonds or pledge securities as required by the issuing authority.

(4) Any or every provision of the bond proceedings being binding upon the issuing authority and upon such governmental agency or entity, officer, board, commission, authority, agency, department, institution, district, or other person or body as may from time to time be authorized to take actions as may be necessary to perform all or any part of the duty required by the provision;

(5) The maintenance of each pledge or instrument comprising part of the bond proceedings until the state has fully paid or provided for the payment of the debt service on the obligations or met other stated conditions;

(6) In the event of default in any payments required to be made by the bond proceedings, or by any other agreement of the issuing authority made as part of a contract under which the obligations were issued or secured, including a credit enhancement facility, the enforcement of those payments by mandamus, a suit in equity, an action at law, or any combination of those remedial actions;

(7) The rights and remedies of the holders or owners of obligations or of book-entry interests in them, and of third parties under any credit enhancement facility, and provisions for protecting and enforcing those rights and remedies, including limitations on rights of individual holders or owners;

(8) The replacement of mutilated, destroyed, lost, or stolen obligations;

(9) The funding, refunding, or advance refunding, or other provision for payment, of obligations that will then no longer be outstanding for purposes of this section or of the applicable bond proceedings;

(10) Amendment of the bond proceedings;

(11) Any other or additional agreements with the owners of obligations, and such other provisions as the issuing authority determines, including limitations, conditions, or qualifications, relating to any of the foregoing.

(F) The great seal of the state or a facsimile of it may be affixed to or printed on the obligations. The obligations requiring execution by or for the issuing authority shall be signed as provided in the bond proceedings. Any obligations may be signed by the individual who on the date of execution is the authorized signer although on the date of these obligations that individual is not an authorized signer. In case the individual whose signature or facsimile signature appears on any obligation ceases to be an authorized signer before delivery of the obligation, that signature or facsimile is nevertheless valid and sufficient for all purposes as if that individual had remained the authorized signer until delivery.

(G) Obligations are investment securities under Chapter 1308. of the Revised Code. Obligations may be issued in bearer or in registered form, registrable as to principal alone or as to both principal and interest, or both, or in certificated or uncertificated form, as the issuing authority determines. Provision may be made for the exchange, conversion, or transfer of obligations and for reasonable charges for registration, exchange, conversion, and transfer. Pending preparation of final obligations, the issuing authority may provide for the issuance of interim instruments to be exchanged for the final obligations.

(H) Obligations may be sold at public sale or at private sale, in such manner, and at such price at, above or below par, all as determined by and provided by the issuing authority in the bond proceedings.

(I) Except to the extent that rights are restricted by the bond proceedings, any owner of obligations or provider of a credit enhancement facility may by any suitable form of legal proceedings protect and enforce any rights relating to obligations or that facility under the laws of this state or granted by the bond proceedings. Those rights include the right to compel the performance of all applicable duties of the issuing authority and the state. Each duty of the issuing authority and that authority's officers, staff, and employees, and of each state entity or agency, or using district or using institution, and its officers, members, staff, or employees, undertaken pursuant to the bond proceedings, is hereby established as a duty of the entity or individual having authority to perform that duty, specifically

enjoined by law and resulting from an office, trust, or station within the meaning of section 2731.01 of the Revised Code. The individuals who are from time to time the issuing authority, members or officers of the issuing authority, or those members' designees acting pursuant to section 151.02 of the Revised Code, or the issuing authority's officers, staff, or employees, are not liable in their personal capacities on any obligations or otherwise under the bond proceedings.

(J)(1) Subject to Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15, and Section 17, of Article VIII, Ohio Constitution and sections 151.01 to 151.11 or 151.40 of the Revised Code, the issuing authority may, in addition to the authority referred to in division (B) of this section, authorize and provide for the issuance of:

(a) Obligations in the form of bond anticipation notes, and may provide for the renewal of those notes from time to time by the issuance of new notes. The holders of notes or appertaining interest coupons have the right to have debt service on those notes paid solely from the moneys and special funds that are or may be pledged to that payment, including the proceeds of bonds or renewal notes or both, as the issuing authority provides in the bond proceedings authorizing the notes. Notes may be additionally secured by covenants of the issuing authority to the effect that the issuing authority and the state will do all things necessary for the issuance of bonds or renewal notes in such principal amount and upon such terms as may be necessary to provide moneys to pay when due the debt service on the notes, and apply their proceeds to the extent necessary, to make full and timely payment of debt service on the notes as provided in the applicable bond proceedings. In the bond proceedings authorizing the issuance of bond anticipation notes the issuing authority shall set forth for the bonds anticipated an estimated schedule of annual principal payments the latest of which shall be no later than provided in division (C) of this section. While the notes are outstanding there shall be deposited, as shall be provided in the bond proceedings for those notes, from the sources authorized for payment of debt service on the bonds, amounts sufficient to pay the principal of the bonds anticipated as set forth in that estimated schedule during the time the notes are outstanding, which amounts shall be used solely to pay the principal of those notes or of the bonds anticipated.

(b) Obligations for the refunding, including funding and retirement, and advance refunding with or without payment or redemption prior to maturity, of any obligations previously issued. Refunding obligations may be issued in amounts sufficient to pay or to provide for repayment of the principal amount, including principal amounts maturing prior to the redemption of the

remaining prior obligations, any redemption premium, and interest accrued or to accrue to the maturity or redemption date or dates, payable on the prior obligations, and related financing costs and any expenses incurred or to be incurred in connection with that issuance and refunding. Subject to the applicable bond proceedings, the portion of the proceeds of the sale of refunding obligations issued under division (J)(1)(b) of this section to be applied to debt service on the prior obligations shall be credited to an appropriate separate account in the bond service fund and held in trust for the purpose by the issuing authority or by a corporate trustee. Obligations authorized under this division shall be considered to be issued for those purposes for which the prior obligations were issued.

(2) Except as otherwise provided in sections 151.01 to 151.11 or 151.40 of the Revised Code, bonds or notes authorized pursuant to division (J) of this section are subject to the provisions of those sections pertaining to obligations generally.

(3) The principal amount of refunding or renewal obligations issued pursuant to division (J) of this section shall be in addition to the amount authorized by the general assembly as referred to in division (B) of the following sections: section 151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code.

(K) Obligations are lawful investments for banks, savings and loan associations, credit union share guaranty corporations, trust companies, trustees, fiduciaries, insurance companies, including domestic for life and domestic not for life, trustees or other officers having charge of sinking and bond retirement or other special funds of the state and political subdivisions and taxing districts of this state, the sinking fund, the administrator of workers' compensation subject to the approval of the workers' compensation board, the state teachers retirement system, the public employees retirement system, the school employees retirement system, and the Ohio police and fire pension fund, notwithstanding any other provisions of the Revised Code or rules adopted pursuant to those provisions by any state agency with respect to investments by them, and are also acceptable as security for the repayment of the deposit of public moneys. The exemptions from taxation in Ohio as provided for in particular sections of the Ohio Constitution and section 5709.76 of the Revised Code apply to the obligations.

(L)(1) Unless otherwise provided or provided for in any applicable bond proceedings, moneys to the credit of or in a special fund shall be disbursed on the order of the issuing authority. No such order is required for the payment, from the bond service fund or other special fund, when due of debt service or required payments under credit enhancement facilities.

(2) Payments received by the state under interest rate hedges entered into as credit enhancement facilities under this chapter shall be deposited to the credit of the bond service fund for the obligations to which those credit enhancement facilities relate.

(M) The full faith and credit, revenue, and taxing power of the state are and shall be pledged to the timely payment of debt service on outstanding obligations as it comes due, all in accordance with Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of Article VIII, Ohio Constitution, and section 151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, or 151.11 of the Revised Code. Moneys referred to in Section 5a of Article XII, Ohio Constitution, may not be pledged or used for the payment of debt service except on obligations referred to in section 151.06 of the Revised Code. Net state lottery proceeds, as provided for and referred to in section 3770.06 of the Revised Code, may not be pledged or used for the payment of debt service except on obligations referred to in section 151.03 of the Revised Code. The state covenants, and that covenant shall be controlling notwithstanding any other provision of law, that the state and the applicable officers and agencies of the state, including the general assembly, shall, so long as any obligations are outstanding in accordance with their terms, maintain statutory authority for and cause to be levied, collected and applied sufficient pledged excises, taxes, and revenues of the state so that the revenues shall be sufficient in amounts to pay debt service when due, to establish and maintain any reserves and other requirements, and to pay financing costs, including costs of or relating to credit enhancement facilities, all as provided for in the bond proceedings. Those excises, taxes, and revenues are and shall be deemed to be levied and collected, in addition to the purposes otherwise provided for by law, to provide for the payment of debt service and financing costs in accordance with sections 151.01 to 151.11 of the Revised Code and the bond proceedings.

(N) The general assembly may from time to time repeal or reduce any excise, tax, or other source of revenue pledged to the payment of the debt service pursuant to Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of Article VIII, Ohio Constitution, and sections 151.01 to 151.11 or 151.40 of the Revised Code, and may levy, collect and apply any new or increased excise, tax, or revenue to meet the pledge, to the payment of debt service on outstanding obligations, of the state's full faith and credit, revenue and taxing power, or of designated revenues and receipts, except fees, excises or taxes referred to in Section 5a of Article XII, Ohio Constitution, for other than obligations referred to in section 151.06 of the Revised Code and except net state lottery proceeds for other than obligations referred to in section 151.03 of the

Revised Code. Nothing in division (N) of this section authorizes any impairment of the obligation of this state to levy and collect sufficient excises, taxes, and revenues to pay debt service on obligations outstanding in accordance with their terms.

(O) Each bond service fund is a trust fund and is hereby pledged to the payment of debt service on the applicable obligations. Payment of that debt service shall be made or provided for by the issuing authority in accordance with the bond proceedings without necessity for any act of appropriation. The bond proceedings may provide for the establishment of separate accounts in the bond service fund and for the application of those accounts only to debt service on specific obligations, and for other accounts in the bond service fund within the general purposes of that fund.

(P) Subject to the bond proceedings pertaining to any obligations then outstanding in accordance with their terms, the issuing authority may in the bond proceedings pledge all, or such portion as the issuing authority determines, of the moneys in the bond service fund to the payment of debt service on particular obligations, and for the establishment and maintenance of any reserves for payment of particular debt service.

(Q) The issuing authority shall by the fifteenth day of July of each fiscal year, certify or cause to be certified to the office of budget and management the total amount of moneys required during the current fiscal year to meet in full all debt service on the respective obligations and any related financing costs payable from the applicable bond service fund and not from the proceeds of refunding or renewal obligations. The issuing authority shall make or cause to be made supplemental certifications to the office of budget and management for each debt service payment date and at such other times during each fiscal year as may be provided in the bond proceedings or requested by that office. Debt service, costs of credit enhancement facilities, and other financing costs shall be set forth separately in each certification. If and so long as the moneys to the credit of the bond service fund, together with any other moneys available for the purpose, are insufficient to meet in full all payments when due of the amount required as stated in the certificate or otherwise, the office of budget and management shall at the times as provided in the bond proceedings, and consistent with any particular provisions in sections 151.03 to 151.11 and 151.40 of the Revised Code, transfer a sufficient amount to the bond service fund from the pledged revenues in the case of obligations issued pursuant to section 151.40 of the Revised Code, and in the case of other obligations from the revenues derived from excises, taxes, and other revenues, including net state lottery proceeds in the case of obligations referred to in section 151.03 of the

Revised Code.

(R) Unless otherwise provided in any applicable bond proceedings, moneys to the credit of special funds may be invested by or on behalf of the state only in one or more of the following:

(1) Notes, bonds, or other direct obligations of the United States or of any agency or instrumentality of the United States, or in no-front-end-load money market mutual funds consisting exclusively of those obligations, or in repurchase agreements, including those issued by any fiduciary, secured by those obligations, or in collective investment funds consisting exclusively of those obligations;

(2) Obligations of this state or any political subdivision of this state;

(3) Certificates of deposit of any national bank located in this state and any bank, as defined in section 1101.01 of the Revised Code, subject to inspection by the superintendent of financial institutions;

(4) The treasurer of state's pooled investment program under section 135.45 of the Revised Code.

The income from investments referred to in division (R) of this section shall, unless otherwise provided in sections 151.01 to 151.11 or 151.40 of the Revised Code, be credited to special funds or otherwise as the issuing authority determines in the bond proceedings. Those investments may be sold or exchanged at times as the issuing authority determines, provides for, or authorizes.

(S) The treasurer of state shall have responsibility for keeping records, making reports, and making payments, relating to any arbitrage rebate requirements under the applicable bond proceedings.

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

(A) As used in this section:

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

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

(3) "State-supported or state-assisted institutions of higher education" means a state university or college, or community college district, technical college district, university branch district, or state community college, or other institution for education, including technical education, beyond the high school, receiving state support or assistance for its expenses of operation. "State university or college" means each of the state universities identified in section 3345.011 of the Revised Code and the northeast Ohio

medical university.

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

(B) The issuing authority shall issue obligations to pay costs of capital facilities for state-supported and state-assisted institutions of higher education pursuant to Section 2n of Article VIII, Ohio Constitution, section 151.01 of the Revised Code, and this section.

(C) Net proceeds of obligations shall be deposited into the higher education improvement fund created by division (F) of section 154.21 of the Revised Code or into the higher education improvement taxable fund created by division (G) of section 154.21 of the Revised Code, as appropriate.

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

Sec. 154.21. (A) Subject to authorization by the general assembly under section 154.02 of the Revised Code, the issuing authority may authorize and issue obligations pursuant to this chapter to pay the cost of capital facilities for state-supported and state-assisted institutions of higher education.

(B) Capital facilities for institutions of higher education financed under this section may be leased by the commission to institutions of higher education or to the Ohio board of regents for the use of institutions of higher

education, and such parties may make other agreement for the use or sale and purchase of the facilities; the Ohio board of regents may sublease such capital facilities to institutions of higher education, and such parties may make other agreement for the use or sale and purchase of the facilities, in any manner permitted by the lease or agreement between the commission and the Ohio board of regents; all upon such terms and conditions as the parties may agree upon and pursuant to this chapter, notwithstanding other provisions of law affecting the leasing, acquisition, or disposition of capital facilities by such parties. Any such leases, subleases, or agreements may contain provisions setting forth the responsibilities of the commission or issuing authority, institutions of higher education, and Ohio board of regents as to the financing, construction, operation, maintenance, and insuring of such facilities and other terms and conditions applicable thereto, including designation of the "owner" for purposes of Chapter 153. of the Revised Code, and any other provisions mutually agreed upon for the purposes of this chapter. Promptly upon execution thereof, a signed or conformed copy of each such lease or agreement, and any supplement thereto, between an institution of higher education or the Ohio board of regents and the commission shall be filed by the commission with the Ohio board of regents, the issuing authority, and the director of budget and management, and promptly upon execution thereof, a signed or conformed copy of each such sublease or agreement between the Ohio board of regents and an institution of higher education shall be filed by the Ohio board of regents with the commission and the director.

(C) For purposes of this section, "available receipts" means fees, tuitions, charges, revenues, and all other receipts of or on behalf of state-supported and state-assisted institutions of higher education, any revenues or receipts derived by the commission from the operation, leasing, or other disposition of capital facilities financed under this section, the proceeds of obligations issued under this section and sections 154.11 and 154.12 of the Revised Code, and also means any gifts, grants, donations, and pledges, and receipts therefrom, available for the payment of bond service charges on such obligations. Subject to any pledge of that portion of available receipts, comprised of fees, tuitions, charges, revenues, and receipts derived directly by an institution of higher education, which has been or may thereafter be made pursuant to section 3345.07, 3345.11, 3345.12, 3349.05, 3354.121, or 3357.112 of the Revised Code, the issuing authority may pledge all or such portion as that authority determines of the available receipts to the payment of bond service charges on obligations issued under this section and sections 154.11 and 154.12 of the Revised

Code and for the establishment and maintenance of any reserves, as provided in the bond proceedings, and make other provisions therein with respect to such available receipts as authorized by this chapter, which provisions shall be controlling, notwithstanding any other provision of law pertaining thereto.

(D) In the event that moneys in the higher education bond service fund and available receipts from payments to be made to the commission or issuing authority under leases and agreements with the Ohio board of regents, together with any other funds made available by the general assembly, will be insufficient, without application of reserves, for the payment of bond service charges and for the establishment and maintenance of reserves, as provided in the bond proceedings, then the commission, upon consultation with the institutions of higher education to be affected and the Ohio board of regents, may require the institutions of higher education to charge, collect, and transmit to the credit of the higher education bond service fund provided for in division (E) of this section, a special student fee, which may be a segregated part of the established instruction fee or other fee, in such amount or amounts as are necessary for the payment of the bond service charges on obligations issued under this section and sections 154.11 and 154.12 of the Revised Code and for the establishment and maintenance of any reserves, as provided in the bond proceedings. Such special fee constitutes "available receipts" within the meaning thereof in division (C) of this section, and may be pledged as therein provided in addition to, or in lieu of, or to be applied prior to, other available receipts, as provided in the bond proceedings; provided, that such special fee shall not be deemed to be pledged by the institutions of higher education under section 3345.07, 3345.11, 3345.12, 3349.05, 3354.121, or 3357.112 of the Revised Code. The issuing authority may covenant in the bond proceedings to require such special fee to be charged, collected, and transmitted pursuant to this division. In the event the initiation of such special fee is required in accordance with such covenant, the commission shall by rules transmitted to each institution of higher education affected thereby, fix, establish, and from time to time modify, as it may consider appropriate, the amount or amounts of the fee, exemptions therefrom, such distinctions, if any, as it may determine appropriate for full-time and part-time students or students enrolled in different programs, or other bases for distinction among students, so that students throughout the state in similar classifications under such rules are so far as feasible treated alike, and establish and from time to time modify other rules, procedures, and definitions for the charge, collection, and transmission of such special fees. Notwithstanding any other provision

of law pertaining thereto, the governing boards of the institutions of higher education shall charge, collect, and transmit such special fee in accordance with such rules.

(E) There is hereby created the higher education bond service trust fund, which shall be in the custody of the treasurer of state but shall be separate and apart from and not a part of the state treasury. All moneys received by or on account of the commission or issuing authority and required by the applicable bond proceedings to be deposited, transferred, or credited to the higher education bond service trust fund, and all other moneys transferred or allocated to or received for the purposes of the higher education bond service trust fund, shall be deposited with the treasurer of state and credited to such fund, subject to any applicable provisions of the bond proceedings, without necessity for any act of appropriation. The higher education bond service trust fund is a trust fund and is hereby pledged to the payment of bond service charges on the obligations issued pursuant to this section and sections 154.11 and 154.12 of the Revised Code to the extent provided in the applicable bond proceedings, and payment thereof from such fund shall be made or provided for by the treasurer of state in accordance with such bond proceedings without necessity for any act of appropriation.

(F) There is hereby created in the state treasury the higher education improvement fund. Subject to the bond proceedings therefor, all of the proceeds of the sale of higher education obligations issued pursuant to this section or section 151.04 of the Revised Code shall be credited to the fund, except that any accrued interest received on obligations issued pursuant to this section shall be credited to the higher education bond service fund. The higher education improvement fund may also be comprised of gifts, grants, appropriated moneys, and other sums and securities received to the credit of such fund. The fund shall be applied only to the purpose of paying costs of capital facilities for state-supported and state-assisted institutions of higher education, which may include participation with one or more such institutions of higher education in any such capital facilities by way of grants, loans, or contributions to them for such capital facilities.

(G) There is hereby created in the state treasury the higher education improvement taxable fund. Subject to the bond proceedings therefor, all of the net proceeds of higher education obligations issued pursuant to this section or section 151.04 of the Revised Code, the interest on which is not excluded from the calculation of gross income for federal income taxation purposes under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1 et seq., shall be credited to the fund, except that any accrued interest received on obligations issued pursuant to this section shall be

credited to the higher education bond service fund. The higher education improvement taxable fund may also be comprised of gifts, grants, appropriated moneys, and other sums and securities received to the credit of such fund. The fund shall be applied only to the purpose of paying costs of capital facilities for state-supported and state-assisted institutions of higher education, which may include participation with one or more such institutions of higher education in any such capital facilities by way of grants, loans, or contributions to them for such capital facilities.

(H) This section shall be applied with other applicable provisions of this chapter.

(H)(I) Any instrument by which real property is acquired pursuant to this section shall identify the agency of the state that has the use and benefit of the real property as specified in section 5301.012 of the Revised Code.

Sec. 4501.30. As used in sections 4501.30 to 4501.303 of the Revised Code:

"MARCS" means the multi-agency radio communications system.

"P25 standards" means standards for digital radio communications for use by federal, state, provincial, and local public safety agencies in North America to enable communications with other agencies and mutual aid response teams in emergencies. "P25 standards" are the standards produced through the joint efforts of the association of public-safety communications officials, the national association of state technology directors, selected federal agencies, and the national communications system.

"P25 system" means a communications system that meets P25 standards and fosters interoperability in mission critical communications as certified by the MARCS steering committee.

Sec. 4501.301. Any communications project related to MARCS that is funded in whole or in part with federal grant funds or funds from the state shall be a P25 system and may not limit interoperability in mission critical communications.

Sec. 4501.302. The MARCS steering committee shall certify that the P25 system complies with P25 standards based on business planning documents it approves. The planning documents shall outline the various end user costs for monthly access to the system depending on the number of MARCS users and including adequate funding for future repairs, maintenance, and upgrades of MARCS statewide.

Sec. 4501.303. The department of administrative services shall seek controlling board approval prior to making purchases of the P25 system.

SECTION 101.02. That existing sections 126.14, 151.01, 151.04, and

154.21 and section 3333.072 of the Revised Code are hereby repealed.

SECTION 201.10. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Nursing Home - Federal Fund (Fund 3190) that are not otherwise appropriated.

		Appropriations
DVS DEPARTMENT OF VETERANS SERVICES		
C90042	G-Nurse Call, Electrical, Doors, Floors	\$ 495,006
C90043	S-Secrest Air Handler Replacement	\$ 675,025
C90044	S-Electrical Panel and Service Supply Upgrade	\$ 3,899,675
C90045	G-Multi-Purpose Room Addition	\$ 2,611,960
C90046	S-Domestic Water Lines and VH Domestic Hot Water	\$ 493,362
C90047	S-S/G HVAC	\$ 2,512,289
C90048	S-S/G Replacement of Sewer Lines and Traps Phase	\$ 2,979,470
C90049	G-Dining Areas Renovations	\$ 528,668
C90050	S-VH/G/S Renovate Steam Lines	\$ 1,917,695
C90051	G-Parking Area Expansion	\$ 468,520
Total Department of Veterans Services		\$ 16,581,670
TOTAL Nursing Home - Federal Fund		\$ 16,581,670

SECTION 201.20. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Army National Guard Service Contract Fund (Fund 3420) that are not otherwise appropriated.

		Appropriations
ADJ ADJUTANT GENERAL		
C74536	Construct Delaware Training and Community Center	\$ 11,771,046
C74537	Renovation Projects - Federal Share	\$ 1,000,000
Total Adjutant General		\$ 12,771,046
TOTAL Army National Guard Service Contract Fund		\$ 12,771,046

SECTION 201.30. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Special Administrative Fund (Fund 4A90) that are not otherwise appropriated.

		Appropriations
JFS DEPARTMENT OF JOB AND FAMILY SERVICES		
C60005	Youngstown Office Improvements	\$ 556,000
C60007	Lima Office Improvements	\$ 171,500
C60009	Central Office Renovations	\$ 200,000
Total Department of Job and Family Services		\$ 927,500
TOTAL Special Administrative Fund		\$ 927,500

SECTION 201.40. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the State Fire Marshal Fund (Fund 5460) that are not otherwise appropriated.

Appropriations

COM DEPARTMENT OF COMMERCE

C80019	State Fire Marshal Main Power Line Replacement	\$	500,000
C80020	Ohio Fire Academy Apparatus Building Rehabilitation	\$	1,000,000
C80021	State Fire Marshal Campus Infrastructure Rehabilitation	\$	1,000,000
	Total Department of Commerce	\$	2,500,000
	TOTAL State Fire Marshal Fund	\$	2,500,000

SECTION 201.50. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Veterans' Home Improvement Fund (Fund 6040) that are not otherwise appropriated.

Appropriations

DVS DEPARTMENT OF VETERANS SERVICES

C90052	G-Nurse Call, Electrical, Doors, Floors	\$	266,542
C90053	S-Secret Air Handler Replacement	\$	363,475
C90054	S-Electrical Panel and Service Supply Upgrade	\$	2,099,825
C90055	G-Multi-Purpose Room Addition	\$	1,406,440
C90056	S-Domestic Water Lines and VH Domestic Hot Water	\$	265,657
C90057	S-S/G HVAC	\$	1,352,771
C90058	S-S/G Replacement of Sewer Lines and Traps Phase	\$	1,604,330
C90059	S-G NH/DOM Resident Room Furniture Replacement	\$	610,600
C90060	G-Dining Areas Renovations	\$	284,668
C90061	S-VH/G/S Renovate Steam Lines	\$	1,032,605
C90062	G-Parking Area Expansion	\$	252,280
	Total Department of Veterans Services	\$	9,539,193
	TOTAL Veterans Home Improvement Fund	\$	9,539,193

SECTION 201.60. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Wildlife Fund (Fund 7015), that are not otherwise appropriated.

Appropriations

DNR DEPARTMENT OF NATURAL RESOURCES

C725K9	Wildlife Area Building Development/Renovations	\$	3,500,000
	Total Department of Natural Resources	\$	3,500,000
	TOTAL Wildlife Fund	\$	3,500,000

SECTION 201.70. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the

Lottery Profits Education Fund (Fund 7017), that are not otherwise appropriated.

		Appropriations	
SFC SCHOOL FACILITIES COMMISSION			
C23014	Classroom Facilities Assistance Program - Lottery Profits	\$	250,000,000
	Total School Facilities Commission	\$	250,000,000
	TOTAL Lottery Profits Education Fund	\$	250,000,000

SECTION 201.80. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the School Building Program Assistance Fund (Fund 7032), that are not otherwise appropriated.

		Appropriations	
SFC SCHOOL FACILITIES COMMISSION			
C23002	School Building Program Assistance	\$	425,000,000
	Total School Facilities Commission	\$	425,000,000
	TOTAL School Building Program Assistance Fund	\$	425,000,000

SCHOOL BUILDING PROGRAM ASSISTANCE

The foregoing appropriation item C23002, School Building Program Assistance, shall be used by the School Facilities Commission to provide funding to school districts that receive conditional approval from the Commission pursuant to Chapter 3318. of the Revised Code.

SECTION 201.83. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2n of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.03 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$400,000,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay the costs to the state of constructing classroom facilities pursuant to sections 3318.01 to 3318.33 of the Revised Code.

SECTION 203.10. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Highway Safety Fund (Fund 7036) that are not otherwise appropriated.

			Appropriations
DPS DEPARTMENT OF PUBLIC SAFETY			
C76031	Ohio Safety Highway Patrol Academy Chiller Replacement, Renovation, and Restoration	\$	3,595,000
C76032	In-car Arbitrator Equipment	\$	2,750,000
C76033	Alum Creek HVAC	\$	618,000
Total Department of Public Safety		\$	6,963,000
TOTAL Highway Safety Fund		\$	6,963,000

SECTION 203.20. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the State Capital Improvements Revolving Loan Fund (Fund 7040). Revenues to the State Capital Improvements Revolving Loan Fund shall consist of all repayments of loans made to local subdivisions for capital improvements, investment earnings on moneys in the fund, and moneys obtained from federal or private grants or from other sources for the purpose of making loans for the purpose of financing or assisting in the financing of the cost of capital improvement projects of local subdivisions.

			Appropriations
PWC PUBLIC WORKS COMMISSION			
C15030	Revolving Loan	\$	63,500,000
Total Public Works Commission		\$	63,500,000
TOTAL State Capital Improvements Revolving Loan Fund		\$	63,500,000

The foregoing appropriation item C15030, Revolving Loan, shall be used in accordance with sections 164.01 to 164.12 of the Revised Code.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15030, Revolving Loan.

SECTION 203.30. The items set forth in this section are hereby

appropriated out of any moneys in the state treasury to the credit of the Waterways Safety Fund (Fund 7086) that are not otherwise appropriated.

		Appropriations
DNR DEPARTMENT OF NATURAL RESOURCES		
C725A7	Cooperative Grant Funding for Boating Facilities	\$ 9,300,000
Total Department of Natural Resources		\$ 9,300,000
TOTAL Waterways Safety Fund		\$ 9,300,000

SECTION 203.40. The items set forth in the sections of this act prefixed with the section numbers "203.40" and "203.43" are hereby appropriated out of any moneys in the state treasury to the credit of the Administrative Building Fund (Fund 7026) that are not otherwise appropriated.

		Appropriations
SECTION 203.40.10. ADJ ADJUTANT GENERAL		
C74525	Construct Delaware Training and Community Center	\$ 3,923,682
C74535	Renovations and Improvements	\$ 2,076,318
Total Adjutant General		\$ 6,000,000

		Appropriations
SECTION 203.40.20. AGO ATTORNEY GENERAL		
C05502	Bowling Green Facility	\$ 11,900,000
C05504	Fire Suppression and Records Retention	\$ 500,000
C05505	Richfield Repairs	\$ 455,000
C05506	Update BCI/OPOTA HVAC Systems	\$ 86,250
C05507	OPOTA Student Safety Improvements	\$ 18,360
C05508	OPOTA TTC Water Infiltration Repairs	\$ 87,360
C05509	Re-Key BCI Facility	\$ 34,879
C05511	Computer Crimes/Evidence Receipt	\$ 295,150
C05512	Renovations and Reconfiguration for CCU and Lab	\$ 244,473
C05513	BCI London Entrance/Parking Lot	\$ 118,461
C05514	Phone Systems Consolidation	\$ 764,500
Total Attorney General		\$ 14,504,433

		Appropriations
SECTION 203.40.30. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES		
C10010	Surface Road Building Renovations	\$ 590,000
C10015	SOCC Renovations	\$ 15,455,000
C10019	25 South Front Street Renovations	\$ 380,000
C10020	North High Street Complex Renovations	\$ 13,575,000
Total Department of Administrative Services		\$ 30,000,000

Appropriations

SECTION 203.40.40. AGR DEPARTMENT OF AGRICULTURE		
C70007	Building and Grounds Renovation	\$ 1,000,000
Total Department of Agriculture		\$ 1,000,000

Appropriations

SECTION 203.40.50. CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD		
C87406	Statehouse Grounds Repair/Improvements	\$ 852,000
C87407	Statehouse Repair/Improvements	\$ 1,348,000
Total Capitol Square Review and Advisory Board		\$ 2,200,000

Appropriations

SECTION 203.40.60. EXP EXPOSITIONS COMMISSION		
C72300	Electric Upgrade	\$ 3,120,000
C72305	Facility Improvements and Modernization	\$ 2,880,000
C72312	Emergency Renovations and Equipment Replacement	\$ 1,500,000
Total Expositions Commission		\$ 7,500,000

Appropriations

SECTION 203.40.70. DNR DEPARTMENT OF NATURAL RESOURCES		
C725D5	Fountain Square Building and Telephone System Improvements	\$ 2,500,000
Total Department of Natural Resources		\$ 2,500,000

Appropriations

SECTION 203.40.80. DPS DEPARTMENT OF PUBLIC SAFETY		
C76034	EMA Building System and Equipment Replacement	\$ 320,000
Total Department of Public Safety		\$ 320,000

Appropriations

SECTION 203.40.90. OSB SCHOOL FOR THE BLIND		
C22616	Renovations and Improvements	\$ 1,049,436
Total School for the Blind		\$ 1,049,436

Appropriations

SECTION 203.43.10. OSD SCHOOL FOR THE DEAF		
C22107	Renovations and Improvements	\$ 1,313,983

Total School for the Deaf \$ 1,313,983

		Appropriations
SECTION 203.43.20. DVS DEPARTMENT OF VETERANS SERVICES		
C90063	S-Resurface Blacktop Roads and Parking Lots	\$ 3,915,718
Total Department of Veterans Services		\$ 3,915,718
TOTAL Administrative Building Fund		\$ 70,303,570

SECTION 203.43.30. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$65,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay costs associated with previously authorized capital facilities and the capital facilities referred to in sections of this act prefixed with the section numbers "203.40" and "203.43."

SECTION 203.50. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Adult Correctional Building Fund (Fund 7027) that are not otherwise appropriated.

		Appropriations
DRC DEPARTMENT OF REHABILITATION AND CORRECTION		
C50103	Asbestos Abatement - SW	\$ 2,773,950
C50104	Power House/Utility Improvements - SW	\$ 4,182,927
C50105	Water System/Plant Improvements - SW	\$ 6,844,954
C50110	Security Improvements - SW	\$ 6,032,169
C50136	General Building Renovations - SW	\$ 40,036,721
C501B3	Electrical System Upgrade - SW	\$ 8,016,136
TOTAL Department of Rehabilitation and Correction		\$ 67,886,857
TOTAL Adult Correctional Building Fund		\$ 67,886,857

SECTION 203.53. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. and section 307.021 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$50,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be

issued, subject to applicable constitutional and statutory limitations, to pay costs associated with previously authorized capital facilities and the capital facilities referred to in Section 203.50 of this act for the Department of Rehabilitation and Correction.

SECTION 203.60. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Juvenile Correctional Building Fund (Fund 7028) that are not otherwise appropriated.

		Appropriations
DYS DEPARTMENT OF YOUTH SERVICES		
C47001	Fire Suppression, Safety and Security	\$ 3,545,615
C47002	General Institutional Renovations	\$ 4,171,561
C47003	CCF Renovations/Maintenance	\$ 3,684,127
C47007	Juvenile Detention Centers	\$ 232,000
C47015	Programming Space for High Risk Youth	\$ 909,000
C47017	Roof Replacement - SJCF	\$ 1,750,477
C470A1	Roof Replacement	\$ 1,170,500
	Total Department of Youth Services	\$ 15,463,280
	TOTAL Juvenile Correctional Building Fund	\$ 15,463,280

SECTION 203.63. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$13,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay the costs associated with previously authorized capital facilities and the capital facilities referred to in Section 203.60 of this act for the Department of Youth Services.

SECTION 203.70. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Cultural and Sports Facilities Building Fund (Fund 7030) that are not otherwise appropriated.

		Appropriations
AFC CULTURAL FACILITIES COMMISSION		
C37116	OHS - Center Exhibit Replacement	\$ 1,000,000

C37117	OHS - Statewide Site Exhibit Renovation	\$	50,000
C37118	OHS - Statewide Site Repairs	\$	850,200
C37152	OHS - Zoar Village Building Restoration	\$	160,000
C37153	OHS - Basic Renovations and Emergency Repairs	\$	930,250
C37158	OHS - Rankin House Restoration and Development	\$	350,000
C37165	OHS - Ohio Historical Center Rehabilitation	\$	1,034,000
C37170	OHS - Stowe House State Memorial	\$	100,000
C37172	OHS - National Afro-American Museum	\$	1,501,000
C371G5	OHS - Ohio River Museum	\$	222,000
C371G6	OHS - Lockington Locks Stabilization	\$	284,000
C371Q0	OHS - On-Line Portal to Ohio's Heritage	\$	546,000
C371Z4	OHS - Fort Amanda State Memorial	\$	122,550
C371Z9	OHS - Statewide Site Conservation of Energy	\$	350,000
	Total Cultural Facilities Commission	\$	7,500,000
	TOTAL Cultural and Sports Facilities Building Fund	\$	7,500,000

SECTION 203.73. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$6,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay costs of capital facilities as defined in section 154.01 of the Revised Code, including construction as defined in division (H) of section 3383.01 of the Revised Code, of the Ohio cultural capital facilities designated in Section 203.70 of this act.

SECTION 203.80. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Ohio Parks and Natural Resources Fund (Fund 7031) that are not otherwise appropriated.

		Appropriations	
DNR DEPARTMENT OF NATURAL RESOURCES			
C72549	ODNR Facilities Development	\$	500,000
C725B7	Underground Fuel Storage Tank Removal/Replacement - Department	\$	250,000
C725E1	NatureWorks Local Park Grants	\$	4,790,000
C725E5	Project Planning	\$	400,000
C725M0	Dam Rehabilitation - Department	\$	10,000,000
C725N5	Wastewater/Water Systems Upgrade - Department	\$	8,000,000
	Total Department of Natural Resources	\$	23,940,000
	TOTAL Ohio Parks and Natural Resources Fund	\$	23,940,000

SECTION 203.83. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 21 of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.05 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$23,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Ohio Parks and Natural Resources Fund (Fund 7031) to pay costs of capital facilities as defined in sections 151.01 and 151.05 of the Revised Code.

SECTION 203.90. The items set forth in the sections of this act prefixed with the number "203.90" are hereby appropriated out of any moneys in the state treasury to the credit of the Mental Health Facilities Improvement Fund (Fund 7033) that are not otherwise appropriated.

		Appropriations
SECTION 203.90.10. DMH DEPARTMENT OF MENTAL HEALTH		
C58001	Community Assistance Projects	\$ 10,000,000
Total Department of Mental Health		\$ 10,000,000

		Appropriations
SECTION 203.90.20. DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES		
C59034	Statewide Developmental Centers	\$ 14,635,000
TOTAL Department of Developmental Disabilities		\$ 14,635,000
TOTAL Mental Health Facilities Improvement Fund		\$ 24,635,000

SECTION 203.90.30. The foregoing appropriation for the Department of Mental Health, C58001, Community Assistance Projects, may be used for facilities constructed or to be constructed pursuant to Chapter 340., 3793., 5119., 5123., or 5126. of the Revised Code or the authority granted by section 154.20 of the Revised Code and the rules issued pursuant to those chapters and shall be distributed by the Department of Mental Health subject to Controlling Board approval.

SECTION 203.90.40. (A) No capital improvement appropriations made in sections of this act prefixed with the section number "203.90" shall be released for planning or for improvement, renovation, or construction or acquisition of capital facilities if a governmental agency, as defined in section 154.01 of the Revised Code, does not own the real property that constitutes the capital facilities or on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The governmental agency has a long-term (at least fifteen years) lease of, or other interest (such as an easement) in, the real property.

(2) In the case of an appropriation for capital facilities that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the governmental agency for its use or operated by the nonprofit organization under contract with the governmental agency, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, approved by the Department of Mental Health or the Department of Developmental Disabilities, whichever is applicable, with the governmental agency for that agency's use of and right to use the capital facilities to be financed and, if applicable, improved, the value of such use or right to use being, as determined by the parties, reasonably related to the amount of the appropriation.

(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, at a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the approving department, reasonably related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use by a governmental agency be terminated;

(3) Provide that procedures to be followed during the capital improvement process will comply with applicable state statutes and rules, including the provisions of this act.

SECTION 203.90.50. The Treasurer of State is hereby authorized to issue

and sell in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. of the Revised Code, particularly section 154.20 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$24,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay costs of capital facilities as defined in section 154.01 of the Revised Code for mental hygiene and retardation.

SECTION 205.10. The items set forth in the sections of this act prefixed with the section numbers "205.10" and "205.13" are hereby appropriated out of any moneys in the state treasury to the credit of the Higher Education Improvement Taxable Fund (Fund 7024) that are not otherwise appropriated.

		Appropriations
SECTION 205.10.10. BOARD OF REGENTS AND STATE INSTITUTIONS OF HIGHER EDUCATION		
BOR BOARD OF REGENTS		
C23547	Central State Student Activity Center - Taxable	\$ 19,000,000
	Total Board of Regents	\$ 19,000,000

		Appropriations
SECTION 205.10.20. UCN UNIVERSITY OF CINCINNATI		
C26668	Medical Science Building Renovation and Expansion - Taxable	\$ 2,880,000
	Total University of Cincinnati	\$ 2,880,000

		Appropriations
SECTION 205.10.30. CLS CLEVELAND STATE UNIVERSITY		
C26062	Fenn College of Engineering - Taxable	\$ 1,273,000
	Total Cleveland State University	\$ 1,273,000

		Appropriations
SECTION 205.10.40. MUN MIAMI UNIVERSITY		
C28573	Kreger Hall - Taxable	\$ 1,820,000
	Total Miami University	\$ 1,820,000

Appropriations

SECTION 205.10.50. OSU OHIO STATE UNIVERSITY

C315C5	Chemical and Biomolecular Engineering and Chemistry Building - Taxable	\$	5,000,000
Total Ohio State University		\$	5,000,000

Appropriations

SECTION 205.10.60. UTO UNIVERSITY OF TOLEDO

C34065	Anatomy Simulation Center - Taxable	\$	200,000
Total University of Toledo		\$	200,000

Appropriations

SECTION 205.10.70. WSU WRIGHT STATE UNIVERSITY

C27547	Neuroscience Engineering Collaboration - Taxable	\$	1,200,000
Total Wright State University		\$	1,200,000

Appropriations

SECTION 205.10.80. NEM NORTHEAST OHIO MEDICAL UNIVERSITY

C30524	REDIZONE Partnership Development - Taxable	\$	65,000
C30525	Simulation Center Partnership - Taxable	\$	12,500
Total Northeast Ohio Medical University		\$	77,500

Appropriations

SECTION 205.10.90. NTC NORTHWEST STATE COMMUNITY COLLEGE

C38207	Advanced Manufacturing Training Center - Taxable	\$	353,500
Total Northwest State Community College		\$	353,500

Appropriations

SECTION 205.13.10. SCC SINCLAIR COMMUNITY COLLEGE

C37720	Life and Sciences Education Center - Taxable	\$	400,000
Total Sinclair Community College		\$	400,000

Appropriations

SECTION 205.13.20. MAT ZANE STATE COLLEGE

C36209	Energy Training and Education Center - Taxable	\$	600,000
Total Zane State College		\$	600,000

		Appropriations
SECTION 205.13.30. STC STARK TECHNICAL COLLEGE		
C38919	Energy Industry Training Center - Taxable	\$ 1,000,000
Total Stark Technical College		\$ 1,000,000
TOTAL Higher Education Improvement Taxable Fund		\$ 33,804,000

SECTION 205.13.40. The items set forth in the sections of this act prefixed with the section numbers "205.10" and "205.13" are hereby appropriated out of any moneys in the state treasury to the credit of the Higher Education Improvement Fund (Fund 7034) that are not otherwise appropriated.

		Appropriations
SECTION 205.20. ETC ETECH OHIO		
C37406	Network Operations Center Upgrade	\$ 3,103,662
C37407	OGT Robotics Repair/Replacement	\$ 191,610
C37408	OGT HD Conversion	\$ 236,000
C37410	Ohio RRS	\$ 4,624
C37411	Cleveland RRS	\$ 26,538
Total eTech Ohio		\$ 3,562,434

		Appropriations
SECTION 205.30. BOARD OF REGENTS AND STATE INSTITUTIONS OF HIGHER EDUCATION		
BOR BOARD OF REGENTS		
C23501	Ohio Supercomputer Center	\$ 2,000,000
C23502	Research Facility Action and Investment Funds	\$ 3,925,000
C23516	Ohio Library and Information Network	\$ 9,000,000
C23524	Supplemental Renovations - Library Depositories	\$ 2,000,000
C23529	Non-credit Job Training Facilities	\$ 2,000,000
C23530	Technology Initiatives	\$ 3,075,000
C23532	Dark Fiber/OARnet	\$ 2,000,000
C23533	Instructional and Data Processing Equipment	\$ 7,000,000
Total Board of Regents		\$ 31,000,000

SECTION 205.30.10. RESEARCH FACILITY ACTION AND INVESTMENT FUNDS

The foregoing appropriation item C23502, Research Facility Action and Investment Funds, shall be used for a program of grants to be administered by the Board of Regents to provide timely availability of capital facilities for

research programs and research-oriented instructional programs at or involving state-supported and state-assisted institutions of higher education.

Appropriations

SECTION 205.30.20. UAK UNIVERSITY OF AKRON

C25051	Zook Hall Renovations	\$	16,000,000
C25052	Science Laboratory Renovations - Wayne	\$	800,000
Total University of Akron		\$	16,800,000

Appropriations

SECTION 205.30.30. BGU BOWLING GREEN STATE UNIVERSITY

C24037	Academic Buildings Rehabilitation	\$	12,500,000
C24044	Organic Chemistry Teaching Laboratory	\$	543,500
C24045	Allied Health and Sciences Building - Firelands	\$	900,000
Total Bowling Green State University		\$	13,943,500

Appropriations

SECTION 205.30.40. UCN UNIVERSITY OF CINCINNATI

C26530	Medical Science Building Renovation and Expansion	\$	25,920,000
C26665	Health Professions Building Roof Repairs	\$	3,000,000
C26666	Snyder Building Roof Replacement - Clermont	\$	1,500,000
C26667	Muntz Hall Roof Replacement - Blue Ash	\$	2,100,000
Total University of Cincinnati		\$	32,520,000

Appropriations

SECTION 205.30.50. CLS CLEVELAND STATE UNIVERSITY

C26061	Fenn College of Engineering	\$	11,457,000
Total Cleveland State University		\$	11,457,000

Appropriations

SECTION 205.30.60. KSU KENT STATE UNIVERSITY

C270C7	Cunningham Hall Repairs	\$	5,000,000
C270C8	Williams Hall Repairs	\$	5,000,000
C270C9	Smith Hall Repairs	\$	1,000,000
C270D1	Multidiscipline Research Labs	\$	5,000,000
C270D2	Main Hall Renovations - Ashtabula	\$	800,000
C270D3	Mary Patterson Building Renovations - East Liverpool	\$	330,000
C270D4	Classroom Building HVAC Replacements - Geauga	\$	259,000
C270D5	Science Lab Expansion - Salem	\$	485,000
C270D6	Fine Arts Building Renovations - Stark	\$	685,000
C270D7	Library Renovations - Stark	\$	615,000
C270D8	HVAC Replacements - Trumbull	\$	855,000
C270D9	Classroom Building Renovations - Tuscarawas	\$	930,000
Total Kent State University		\$	20,959,000

Appropriations

SECTION 205.30.70. MUN MIAMI UNIVERSITY

C28569	Kreger Hall	\$	16,380,000
C28570	Phelps Hall HVAC - Hamilton	\$	437,000
C28571	Rentschler Hall Water Main Upgrades - Hamilton	\$	250,000
C28572	Thesken Hall HVAC - Middletown	\$	589,000
Total Miami University		\$	17,656,000

Appropriations

SECTION 205.30.80. OSU OHIO STATE UNIVERSITY

C315BA	Chemical and Biomolecular Engineering and Chemistry Building	\$	45,000,000
C315BB	12th Avenue Vault Replacement	\$	570,000
C315BC	Meiling Hall Roof	\$	900,000
C315BD	Hitchcock Hall Roof	\$	870,000
C315BE	Chiller Replacements	\$	2,000,000
C315BF	Boiler Replacements	\$	1,000,000
C315BG	Caldwell Lab HVAC	\$	220,000
C315BH	Utility Tunnel Safety Upgrades	\$	280,000
C315BJ	Math Building Roof	\$	230,000
C315BK	Atwell Hall Elevators	\$	680,000
C315BL	Starling Loving Hall Elevators	\$	1,000,000
C315BM	Graves Hall Elevators	\$	1,130,000
C315BN	Dulles Hall HVAC	\$	240,000
C315BO	McCracken Power Plant Elevators	\$	600,000
C315BP	Pomerene Hall Elevator	\$	150,000
C315BQ	Hayes Hall Foundation Repairs	\$	610,000
C315BR	Replacement Emergency Generators	\$	2,000,000
C315BS	Hopkins Hall HVAC	\$	270,000
C315BT	Mendenhall Lab Roof	\$	1,900,000
C315BU	Midwest Campus Chilled Water System	\$	3,750,000
C315BV	South Campus Sewer	\$	1,400,000
C315BW	Electrical System Upgrades - Wooster	\$	7,600,000
C315BX	Library Renovation - Lima	\$	980,000
C315BY	Domestic Water Booster Pumps - Lima	\$	125,000
C315BZ	Service Building Controls Update - Lima	\$	34,000
C315C1	Morrill Hall Renovations - Marion	\$	1,000,000
C315C2	Student Union Renovations - Mansfield	\$	1,000,000
C315C3	Founder Hall Renovations - Newark	\$	1,100,000
C315C4	LeFevre Hall Cooling System - Newark	\$	378,000
Total Ohio State University		\$	77,017,000

Appropriations

SECTION 205.30.90. OHU OHIO UNIVERSITY

C30087	West Green Roof Replacement	\$	1,100,000
C30088	Alden Library Renovations	\$	2,700,000
C30089	Haning Hall Elevator Addition	\$	500,000

C30090	Park Place Utility Tunnel Structure Repair	\$	200,000
C30091	Clippinger/Accelerator Building Roof Repairs	\$	550,000
C30092	Cutler Hall High Voltage Upgrade	\$	350,000
C30093	Convocation Center Roof/Ramp Repairs	\$	1,300,000
C30094	Lindley Hall Steam Piping Replacement	\$	1,500,000
C30095	Memorial Auditorium Repairs	\$	1,500,000
C30096	Campus Fire Alarm Upgrades	\$	150,000
C30097	Exterior Painting/Woodwork Repair	\$	750,000
C30098	Ellis Elevator Improvement	\$	200,000
C30099	Campus Accessibility Improvements	\$	275,000
C30100	Ridges Building #26 Demolition	\$	300,000
C30101	Glidden Rehearsal Hall HVAC Upgrade	\$	350,000
C30102	Peden Stadium Concrete Restoration	\$	750,000
C30103	Chubb/Sing Tao/Siegfred Roof Repair	\$	300,000
C30104	Pruitt Field Repairs	\$	1,100,000
C30105	Campus Safety Lighting Improvements	\$	500,000
C30106	RTVC Building Roof Replacement	\$	400,000
C30107	Siegfred Elevator Upgrade	\$	175,000
C30108	Cutler and Wilson Halls Waterproofing	\$	520,000
C30109	Clippinger Elevator Upgrade	\$	300,000
C30110	Kennedy Museum Elevator Upgrade	\$	250,000
C30111	Campus Roadway Improvements	\$	750,000
C30112	Bentley Hall Roof Replacement	\$	425,000
C30113	Lasher Hall Roof Replacement	\$	200,000
C30114	Stocker Air Handling Unit Replacements	\$	500,000
C30115	Utility Meter Replacements	\$	250,000
C30116	Bird Arena Cooling Equipment Upgrades	\$	475,500
C30117	Shoemaker Center Repairs - Chillicothe	\$	750,000
C30118	Shannon Hall Renovations - Eastern	\$	600,000
C30119	Brasee Hall Renovations - Lancaster	\$	440,000
C30120	Herrold Hall Renovations - Lancaster	\$	450,000
C30121	HVAC and Lighting Upgrades - Southern	\$	420,000
C30122	Classroom and Lab Renovations - Southern	\$	150,000
C30123	Collins Center Repairs - Southern	\$	200,000
C30124	Campus Center Roof Replacement - Zanesville	\$	250,000
C30125	Herrold Hall Renovations - Zanesville	\$	580,000
Total Ohio University		\$	22,460,500

Appropriations

SECTION 205.33.10. SSC SHAWNEE STATE UNIVERSITY

C32426	Plaza Concrete Renovations	\$	2,645,000
C32427	Classroom and Laboratory Renovations	\$	500,000
Total Shawnee State University		\$	3,145,000

Appropriations

SECTION 205.33.20. UTO UNIVERSITY OF TOLEDO

C34058	Campus Energy Cost Reduction Project	\$	2,000,000
C34059	Anatomy Simulation Center	\$	1,800,000
C34060	Pharmacy Laboratory Renovations	\$	4,000,000
C34061	University Hall Renovations	\$	3,000,000

C34062	Steam and Chilled Water Line Extension	\$	4,000,000
C34063	Core Research Laboratory Renovations	\$	2,000,000
C34064	Nitschke Training Center	\$	750,000
Total University of Toledo		\$	17,550,000

Appropriations

SECTION 205.33.30. WSU WRIGHT STATE UNIVERSITY

C27501	Basic Renovations - Lake	\$	215,000
C27545	Neuroscience Engineering Collaboration	\$	10,800,000
C27546	Engineering Program Renovation	\$	250,000
Total Wright State University		\$	11,265,000

Appropriations

SECTION 205.33.40. YSU YOUNGSTOWN STATE UNIVERSITY

C34530	Melnick Hall Renovations	\$	2,500,000
C34531	Campus Elevator Upgrades	\$	1,100,000
C34532	Cushwa Hall Elevator Upgrades	\$	500,000
C34533	Maag Library Elevator Upgrades	\$	400,000
C34534	Roof Renovations	\$	2,000,000
C34535	Building Exterior Repairs	\$	1,500,000
C34536	Storm Water Upgrades	\$	250,000
C34537	Campus Core Lighting Upgrades	\$	495,000
C34538	Emergency Generator Upgrades	\$	350,000
C34539	Edward J Salata Complex Renovations	\$	300,000
Total Youngstown State University		\$	9,395,000

Appropriations

SECTION 205.33.50. NEM NORTHEAST OHIO MEDICAL UNIVERSITY

C30520	Research and Graduate Education Building	\$	550,000
C30521	Creation of a Biomechanics-Gait Laboratory	\$	450,000
C30522	REDIZONE Partnership Development	\$	585,000
C30523	Simulation Center Partnership	\$	112,500
Total Northeast Ohio Medical University		\$	1,697,500

Appropriations

SECTION 205.33.60. CTC CINCINNATI STATE COLLEGE

C36124	STEM Laboratory Renovations	\$	1,800,000
C36125	Classroom Technology Upgrades	\$	1,400,000
C36126	Restroom Upgrades	\$	350,000
Total Cincinnati State Community College		\$	3,550,000

Appropriations

SECTION 205.33.70. CLT CLARK STATE COMMUNITY COLLEGE

C38518	Student Success Center	\$	3,400,000
Total Clark State Community College		\$	3,400,000

Appropriations

SECTION 205.33.80. CTI COLUMBUS STATE COMMUNITY COLLEGE

C38417	Union Hall Renovation	\$	5,000,000
Total Columbus State Community College		\$	5,000,000

Appropriations

SECTION 205.33.90. CCC CUYAHOGA COMMUNITY COLLEGE

C37836	Crile Building Renovation, Western Campus	\$	8,870,000
C37837	Roof Replacements, Western Campus	\$	1,210,000
Total Cuyahoga Community College		\$	10,080,000

Appropriations

SECTION 205.35.10. ESC EDISON STATE COMMUNITY COLLEGE

C39011	Replace West Hall Windows	\$	310,000
C39012	Replace North Hall Roof	\$	150,000
C39013	Expand Parking Lot	\$	300,000
C39014	Access Improvements	\$	270,000
C39015	Information Technology Upgrades	\$	140,000
Total Edison State Community College		\$	1,170,000

Appropriations

SECTION 205.35.20. JTC EASTERN GATEWAY COMMUNITY COLLEGE

C38610	Roof Replacements	\$	950,000
Total Eastern Gateway Community College		\$	950,000

Appropriations

SECTION 205.35.30. LCC LAKELAND COMMUNITY COLLEGE

C37913	Roadway, Parking Lot, and Sidewalk Renovations	\$	500,000
C37914	Existing Roof and Building Shell Renovations	\$	500,000
C37915	Renovation of Science Hall	\$	2,200,000
Total Lakeland Community College		\$	3,200,000

Appropriations

SECTION 205.35.40. LOR LORAIN COMMUNITY COLLEGE

C38309	Physical Science Building Renovations	\$	3,000,000
C38310	Energy Efficiency Projects	\$	850,000

Total Lorain Community College	\$	3,850,000
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Appropriations

SECTION 205.35.50. NTC NORTHWEST STATE COMMUNITY COLLEGE

C38206	Advanced Manufacturing Training Center	\$	3,181,500
Total Northwest State Community College		\$	3,181,500

Appropriations

SECTION 205.35.60. OTC OWENS COMMUNITY COLLEGE

C38819	High Bay Building Renovation	\$	770,000
C38820	Heritage Hall Renovation	\$	2,700,000
C38821	College Hall Renovation	\$	760,000
C38822	Administration Hall Exterior Repairs	\$	228,000
C38823	Math and Science Building HVAC Replacements	\$	448,500
C38824	Access Improvement Projects	\$	73,500
Total Owens Community College		\$	4,980,000

Appropriations

SECTION 205.35.70. RGC RIO GRANDE COMMUNITY COLLEGE

C35607	Wood Hall Emergency Repairs	\$	3,500,000
Total Rio Grande Community College		\$	3,500,000

Appropriations

SECTION 205.35.80. SCC SINCLAIR COMMUNITY COLLEGE

C37712	Life and Sciences Education Center	\$	3,600,000
C37713	Instructional Space Enhancements	\$	250,000
C37714	Building 1 Air Handler Units	\$	600,000
C37715	Replace Air Temperature Control Devices	\$	400,000
C37716	Replace Building 14 Roof	\$	450,000
C37717	Replace Building 9 Boilers	\$	300,000
C37718	Exterior Masonry Repairs	\$	400,000
C37719	Access Control and Security Cameras	\$	800,000
Total Sinclair Community College		\$	6,800,000

Appropriations

SECTION 205.35.90. SOC SOUTHERN STATE COMMUNITY COLLEGE

C32205	Central Campus Exterior Renovations	\$	1,050,000
Total Southern State Community College		\$	1,050,000

Appropriations

SECTION 205.37.10. TTC TERRA STATE COMMUNITY COLLEGE

C36409	Building B Renovations	\$	1,000,000
Total Terra State Community College		\$	1,000,000

Appropriations

SECTION 205.37.20. WTC WASHINGTON STATE COMMUNITY COLLEGE

C35811	Parking and Bridge Repairs	\$	750,000
Total Washington State Community College		\$	750,000

Appropriations

SECTION 205.37.30. BTC BELMONT TECHNICAL COLLEGE

C36804	Health Sciences Center	\$	6,000,000
Total Belmont Technical College		\$	6,000,000

Appropriations

SECTION 205.37.40. COT CENTRAL OHIO TECHNICAL COLLEGE

C36908	Maintenance Facility	\$	900,000
C36909	LeFevre Hall Cooling System	\$	295,000
Total Central Ohio Technical College		\$	1,195,000

Appropriations

SECTION 205.37.50. HTC HOCKING TECHNICAL COLLEGE

C36312	Energy Institute	\$	2,500,000
Total Hocking Technical College		\$	2,500,000

Appropriations

SECTION 205.37.60. LTC JAMES RHODES STATE COLLEGE

C38112	Technology Laboratory Repairs	\$	1,150,000
Total James Rhodes State College		\$	1,150,000

Appropriations

SECTION 205.37.70. MTC MARION TECHNICAL COLLEGE

C35905	Technical Education Center Vacated Space Renovations	\$	124,000
Total Marion Technical College		\$	124,000

Appropriations

SECTION 205.37.80. MAT ZANE STATE COLLEGE

C36208	Energy Training and Education Center	\$	5,400,000
Total Zane State College		\$	5,400,000

				Appropriations	
SECTION	205.37.90.	NCC	NORTH	CENTRAL	TECHNICAL
COLLEGE					
C38012	Health Sciences Center Renovation			\$	850,000
C38013	Kehoe Center Bridge Replacement			\$	650,000
Total North Central Technical College				\$	1,500,000

				Appropriations	
SECTION	205.39.10. STC STARK TECHNICAL COLLEGE				
C38918	Energy Industry Training Center			\$	9,000,000
Total Stark Technical College				\$	9,000,000
Total Board of Regents and Institutions of Higher Education				\$	366,196,000
TOTAL Higher Education Improvement Fund				\$	369,758,434

SECTION 205.39.20. For all of the foregoing appropriation items from the Higher Education Improvement Fund (Fund 7034) or the Higher Education Improvement Taxable Fund (Fund 7024) that require local funds to be contributed by any state-supported or state-assisted institution of higher education, the Board of Regents shall not recommend that any funds be released until the recipient institution demonstrates to the Board of Regents and the Office of Budget and Management that the local funds contribution requirement has been secured or satisfied. The local funds are in addition to the foregoing appropriations.

SECTION 205.39.30. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2n of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.04 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$415,000,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay costs of capital facilities as defined in sections 151.01 and 151.04 of the Revised Code for state-supported and state-assisted institutions of higher education.

SECTION 205.39.40. None of the foregoing capital improvements appropriations for state-supported or state-assisted institutions of higher

education shall be expended until the particular appropriation has been recommended for release by the Board of Regents and released by the Director of Budget and Management or the Controlling Board. Either the institution concerned, or the Board of Regents with the concurrence of the institution concerned, may initiate the request to the Director of Budget and Management or the Controlling Board for the release of the particular appropriations.

SECTION 205.39.50. (A) No capital improvement appropriations made in sections of this act prefixed with the section number "205" shall be released for planning or for improvement, renovation, construction, or acquisition of capital facilities if the institution of higher education or the state does not own the real property on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The institution has a long-term (at least twenty years) lease of, or other interest (such as an easement) in, the real property.

(2) The Board of Regents certifies to the Controlling Board that undue delay will occur if planning does not proceed while the property or property interest acquisition process continues. In this case, funds may be released upon approval of the Controlling Board to pay for planning through the development of schematic drawings only.

(3) In the case of an appropriation for capital facilities that, because of their unique nature or location, will be owned or will be part of facilities owned by a separate nonprofit organization or public body and will be made available to the institution of higher education for its use, the nonprofit organization or public body either owns or has a long-term (at least twenty years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement with the institution of higher education that meets the requirements of division (C) of this section.

(B) Any foregoing appropriations that require cooperation between a technical college and a branch campus of a university may be released by the Controlling Board upon recommendation by the Board of Regents that the facilities proposed by the institutions are:

(1) The result of a joint planning effort by the university and the technical college, satisfactory to the Board of Regents;

(2) Facilities that will meet the needs of the region in terms of technical and general education, taking into consideration the totality of facilities that

will be available after the completion of the projects;

(3) Planned to permit maximum joint use by the university and technical college of the totality of facilities that will be available upon their completion; and

(4) To be located on or adjacent to the branch campus of the university.

(C) The Board of Regents shall adopt rules regarding the release of moneys from all the foregoing appropriations for capital facilities for all state-supported or state-assisted institutions of higher education. In the case of capital facilities referred to in division (A)(3) of this section, the joint or cooperative use agreements shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than twenty years, with the value of such use or right to use to be, as is determined by the parties and approved by the Board of Regents, reasonably related to the amount of the appropriations;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use be terminated;

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state statutes and rules, including the provisions of this act; and

(4) Provide for payment or reimbursement to the institution of its administrative costs incurred as a result of the facilities project, not to exceed 1.5 per cent of the appropriated amount.

(D) Upon the recommendation of the Board of Regents, the Controlling Board may approve the transfer of appropriations for projects requiring cooperation between institutions from one institution to another institution with the approval of both institutions.

(E) Notwithstanding section 127.14 of the Revised Code, the Controlling Board, upon the recommendation of the Board of Regents, may transfer amounts appropriated to the Board of Regents to accounts of state-supported or state-assisted institutions created for that same purpose.

SECTION 205.39.60. The requirements of Chapters 123. and 153. of the Revised Code, with respect to the powers and duties of the Director of Administrative Services, and the requirements of section 127.16 of the Revised Code, with respect to the Controlling Board, do not apply to projects of community college districts, which include Cuyahoga Community College, Eastern Gateway Community College, Lakeland Community College, Lorain Community College, Rio Grande Community College, and Sinclair Community College; and technical college districts, which include Belmont Technical College, Central Ohio Technical College,

Hocking Technical College, James Rhodes State College, Marion Technical College, Zane State College, North Central Technical College, and Stark Technical College.

SECTION 205.39.70. Those institutions locally administering capital improvement projects pursuant to section 3345.50 of the Revised Code may:

(A) Establish charges for recovering costs directly related to project administration as defined by the Director of Administrative Services. The Department of Administrative Services, in consultation with the Office of Budget and Management, shall review and approve these administrative charges when the charges are in excess of 1.5 per cent of the total construction budget, provided that total administrative charges paid by the state do not exceed four per cent of the state's contribution to the total construction budget.

(B) Seek reimbursement from state capital appropriations to the institution for the in-house design services performed by the institution for the capital projects. Acceptable charges are limited to design document preparation work that is done by the institution. These reimbursable design costs shall be shown as "A/E fees" within the project's budget that is submitted to the Controlling Board or the Director of Budget and Management as part of a request for release of funds. The reimbursement for in-house design shall not exceed seven per cent of the estimated construction cost.

SECTION 205.50. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Parks and Recreation Improvement Fund (Fund 7035) that are not otherwise appropriated.

		Appropriations
DNR DEPARTMENT OF NATURAL RESOURCES		
C725A0	Statewide Lodge and Cabin Renovations	\$ 5,450,000
C725E6	Project Planning	\$ 550,000
Total Department of Natural Resources		\$ 6,000,000
TOTAL Parks and Recreation Improvement Fund		\$ 6,000,000

FEDERAL REIMBURSEMENT

All reimbursements received from the federal government for any expenditures made pursuant to this section shall be deposited in the state treasury to the credit of the Parks and Recreation Improvement Fund (Fund

7035).

SECTION 205.53. For the appropriations in Section 205.50 of this act, the Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department for each project. Based on the estimates, the Director of Budget and Management may release appropriations from the foregoing appropriation item C725E6, Project Planning, within the Parks and Recreation Improvement Fund (Fund 7035), to pay for design, planning, and engineering costs incurred by the Department for the projects. Upon release of the appropriations by the Director of Budget and Management, the Department shall pay for these expenses from the Parks Capital Expenses Fund (Fund 2270), and shall be reimbursed from the Parks and Recreation Improvement Fund (Fund 7035) using an intrastate voucher.

SECTION 205.55. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. of the Revised Code, particularly section 154.22 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$13,000,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay the costs of capital facilities for parks and recreation as defined in section 154.01 of the Revised Code.

SECTION 205.57. (A) No capital improvement appropriations made in Section 205.50 of this act shall be released for planning or for improvement, renovation, or construction or acquisition of capital facilities if a governmental agency, as defined in section 154.01 of the Revised Code, does not own the real property that constitutes the capital facilities or on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The governmental agency has a long-term (at least fifteen years) lease of, or other interest (such as an easement) in, the real property.

(2) In the case of an appropriation for capital facilities for parks and recreation that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made

available to the governmental agency for its use or operated by the nonprofit organization under contract with the governmental agency, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, approved by the Department of Natural Resources, with the governmental agency for that agency's use of and right to use the capital facilities to be financed and, if applicable, improved, the value of such use or right to use being, as determined by the parties, reasonably related to the amount of the appropriation.

(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the approving department, reasonably related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use by a governmental agency be terminated; and

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state statutes and rules, including the provisions of this act.

SECTION 205.60. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the State Capital Improvements Fund (Fund 7038) that are not otherwise appropriated.

		Appropriations
PWC PUBLIC WORKS COMMISSION		
C15000	Local Public Infrastructure/State CIP	\$ 300,000,000
	Total Public Works Commission	\$ 300,000,000
	TOTAL State Capital Improvements Fund	\$ 300,000,000

The foregoing appropriation item C15000, Local Public Infrastructure, shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised

Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15030, Revolving Loan.

SECTION 205.63. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2p of Article VIII, Ohio Constitution, and sections 151.01 and 151.08 of the Revised Code, original obligations, in an aggregate principal amount not to exceed \$300,000,000, in addition to the original obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued and sold from time to time and in amounts necessary to ensure sufficient moneys to the credit of the State Capital Improvements Fund (Fund 7038) to pay costs of capital improvement projects of local subdivisions.

SECTION 205.70. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Coal Research and Development Fund (Fund 7046) that are not otherwise appropriated.

		Appropriations
DEV DEPARTMENT OF DEVELOPMENT		
C19505	Coal Research and Development	\$ 10,000,000
	Total Department of Development	\$ 10,000,000
	TOTAL Coal Research and Development Fund	\$ 10,000,000

SECTION 205.73. The Ohio Public Facilities Commission is hereby

authorized to issue and sell, in accordance with Section 15 of Article VIII, Ohio Constitution, and Chapter 151. of the Revised Code, and particularly sections 151.01 and 151.07, original obligations in an aggregate principal amount not to exceed \$15,000,000 in addition to the original obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, in amounts necessary to ensure sufficient moneys to the credit of the Coal Research and Development Fund (Fund 7046) to pay costs of research and development of clean coal technology projects.

SECTION 205.80. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Clean Ohio Trail Fund (Fund 7061) that are not otherwise appropriated.

DNR DEPARTMENT OF NATURAL RESOURCES

		Appropriations
C72514	Clean Ohio Local Grants	\$ 6,000,000
	Total Department of Natural Resources	\$ 6,000,000
	TOTAL Clean Ohio Trail Fund	\$ 6,000,000

Notwithstanding divisions (B) and (C) of section 151.09 and division (B) of section 1519.05 of the Revised Code, upon receipt of a certification from the Department of Natural Resources of the amount needed to pay the costs of projects appropriated from the Clean Ohio Trail Fund (Fund 7061) created by section 1519.05 of the Revised Code, the Ohio Public Facilities Commission shall issue obligations as defined in division (A) of section 151.09 of the Revised Code in the amount determined to be authorized and necessary for that purpose, and, for the period from July 1, 2012 through June 30, 2014, net proceeds of obligations issued and sold pursuant to sections 151.01 and 151.09 of the Revised Code shall be deposited solely into the Clean Ohio Trail Fund.

SECTION 205.83. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2o and 2q of Article VIII, Ohio Constitution, and pursuant to sections 151.01 and 151.09 of the Revised Code, original obligations of the state in an aggregate principal amount not to exceed \$6,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued and sold from time to time, subject to applicable constitutional and statutory limitations, as needed to ensure sufficient moneys to the credit of the Clean Ohio Trail Fund (Fund 7061) to pay costs of conservation projects.

SECTION 503.10. Notwithstanding any provision of law to the contrary, the Director of Budget and Management, with the written concurrence of the Director of Public Safety, may transfer cash temporarily from the Highway Safety Fund (Fund 7036) to the Highway Safety Building Fund (Fund 7025), and the cash may be used to fund projects previously appropriated by acts of the General Assembly. The transfers shall be made for the purpose of providing cash to support appropriations or encumbrances that exist on the effective date of this section. At such time as obligations are issued for Highway Safety Building Fund projects, the Director of Budget and Management shall transfer from the Highway Safety Building Fund to the Highway Safety Fund any amounts originally transferred to the Highway Safety Building Fund under this section.

SECTION 509.10. CERTIFICATION OF AVAILABILITY OF MONEYS

Moneys that require release shall not be expended from any appropriation contained in this act without certification of the Director of Budget and Management that there are sufficient moneys in the state treasury in the fund from which the appropriation is made. Such certification shall be based on estimates of revenue, receipts, and expenses. Nothing in this section limits the authority granted to the Director of Budget and Management in section 126.07 of the Revised Code.

SECTION 509.20. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The appropriations made in this act, excluding those made to the State Capital Improvement Fund (Fund 7038) and the State Capital Improvements Revolving Loan Fund (Fund 7040) for buildings or structures, including remodeling and renovations, are limited to:

- (A) Acquisition of real property or interests in real property;
- (B) Buildings and structures, which include construction, demolition, complete heating, lighting and lighting fixtures, all necessary utilities, and ventilating, plumbing, sprinkling, and sewer systems, when such systems are authorized or necessary;
- (C) Architectural, engineering, and professional services expenses directly related to the projects;
- (D) Machinery that is a part of structures at the time of initial

acquisition or construction;

(E) Acquisition, development, and deployment of new computer systems, including the redevelopment or integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;

(F) Equipment that meets all the following criteria:

(1) The equipment is essential in bringing the facility up to its intended use;

(2) The unit cost of the equipment, and not the individual parts of a unit, is about \$100 or more;

(3) The equipment has a useful life of five years or more; and

(4) The equipment is necessary for the functioning of the particular facility or project.

Equipment shall not be paid for from these appropriations that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated. This paragraph does not apply to appropriation items specifically for equipment.

SECTION 509.30. CONTINGENCY RESERVE REQUIREMENT

Any request for release of capital appropriations by the Director of Budget and Management or the Controlling Board of capital appropriations for projects, the contracts for which are awarded by the Department of Administrative Services, shall contain a contingency reserve, the amount of which shall be determined by the Department of Administrative Services, for payment of unanticipated project expenses. Any amount deducted from the encumbrance for a contractor's contract as an assessment for liquidated damages shall be added to the encumbrance for the contingency reserve. Contingency reserve funds shall be used to pay costs resulting from unanticipated job conditions, to comply with rulings regarding building and other codes, to pay costs related to errors or omissions in contract documents, to pay costs associated with changes in the scope of work, and to pay the cost of settlements and judgments related to the project.

Any funds remaining upon completion of a project may, upon approval of the Controlling Board, be released for the use of the agency or instrumentality to which the appropriation was made for other capital facilities projects.

SECTION 509.40. AGENCY ADMINISTRATION OF CAPITAL FACILITIES PROJECTS

Notwithstanding sections 123.01 and 123.15 of the Revised Code, the Director of Administrative Services may authorize the Departments of Mental Health, Developmental Disabilities, Agriculture, Job and Family Services, Rehabilitation and Correction, Youth Services, Public Safety, Transportation, and Veterans Services to administer any capital facilities projects, the estimated cost of which, including design fees, construction, equipment, and contingency amounts, is less than \$1,500,000. Requests for authorization to administer capital facilities projects shall be made in writing to the Director of Administrative Services by the applicable state agency within sixty days after the effective date of the section of law in which the General Assembly initially makes an appropriation for the project. Upon the release of funds for the projects by the Controlling Board or the Director of Budget and Management, the agency may administer the capital project or projects for which agency administration has been authorized without the supervision, control, or approval of the Director of Administrative Services.

A state agency authorized by the Director of Administrative Services to administer capital facilities projects pursuant to this section shall comply with the applicable procedures and guidelines established in Chapter 153. of the Revised Code.

SECTION 509.50. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST THE STATE

Except as otherwise provided in this section, an appropriation contained in this act or in any other act may be used for the purpose of satisfying judgments, settlements, or administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state. This authorization does not apply to appropriations that are to be applied to or used for payment of guarantees by or on behalf of the state, or for payments under lease agreements relating to or debt service on bonds, notes, or other obligations of the state. Notwithstanding any other section of law to the contrary, this authorization includes appropriations from funds into which proceeds or direct obligations of the state are deposited only to the extent that the judgment, settlement, or administrative award is for or represents capital costs for which the appropriation may otherwise be used and is consistent with the purpose for which any related obligations were issued or entered into. Nothing contained in this section is intended to subject the state to suit in any forum in which it is not otherwise subject to suit, and it is not intended to waive or compromise any defense or right available to the state in any suit against it.

SECTION 509.60. CAPITAL RELEASES BY THE DIRECTOR OF BUDGET AND MANAGEMENT

Notwithstanding section 126.14 of the Revised Code, appropriations from the School Building Program Assistance Fund (Fund 7032) to the School Facilities Commission, and from the State Capital Improvement Fund (Fund 7038) and the State Capital Improvements Revolving Loan Fund (Fund 7040) to the Public Works Commission, shall be released upon presentation of a request to release the funds, by the agency to which the appropriation has been made, to the Director of Budget and Management.

SECTION 509.70. PREVAILING WAGE REQUIREMENT

Except as provided in section 4115.04 of the Revised Code, moneys appropriated or reappropriated by the 129th General Assembly shall not be used for the construction of public improvements, as defined in section 4115.03 of the Revised Code, unless the mechanics, laborers, or workers engaged therein are paid the prevailing rate of wages prescribed in section 4115.04 of the Revised Code. Nothing in this section affects the wages and salaries established for state employees under Chapter 124. of the Revised Code, or collective bargaining agreements entered into by the state under Chapter 4117. of the Revised Code, while engaged on force account work, nor does this section interfere with the use of inmate and patient labor by the state.

SECTION 509.90. AUTHORIZATION OF THE DIRECTOR OF BUDGET AND MANAGEMENT

The Director of Budget and Management shall authorize both of the following:

(A) The initial release of moneys for projects from the funds into which proceeds of direct obligations of the state are deposited; and

(B) The expenditure or encumbrance of moneys from funds into which proceeds of direct obligations are deposited, but only after determining to the director's satisfaction that either of the following applies:

(1) The application of the moneys to the particular project will not negatively affect any exemption or exclusion from federal income tax of the interest or interest equivalent on obligations issued to provide moneys to the particular fund.

(2) Moneys for the project will come from the proceeds of obligations,

the interest on which is not so excluded or exempt and which have been authorized as "taxable obligations" by the issuing authority.

The director shall report any nonrelease of moneys pursuant to this section to the Governor, to the Speaker of the House of Representatives, to the President of the Senate, and to the agency for the use of which the project is intended.

SECTION 509.101. SCHOOL FACILITIES ENCUMBRANCES AND REAPPROPRIATION

At the request of the Executive Director of the Ohio School Facilities Commission, the Director of Budget and Management may cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within thirteen months after receiving Controlling Board approval in accordance with section 3318.05 of the Revised Code. The Executive Director of the Ohio School Facilities Commission shall certify the amounts of these canceled encumbrances to the Director of Budget and Management on a quarterly basis. The amounts of the canceled encumbrances are hereby appropriated.

SECTION 509.110. CERTIFICATE OF NEED REQUIREMENT

An appropriation for a health care facility authorized under this act may not be released until the requirements of sections 3702.51 to 3702.62 of the Revised Code have been met.

SECTION 509.120. DISTRIBUTION OF PROCEEDS FROM ASBESTOS ABATEMENT LITIGATION

All proceeds received by the state as a result of litigation, judgments, settlements, or claims, filed by or on behalf of any state agency, as defined by section 1.60 of the Revised Code, or state-supported or state-assisted institution of higher education, for damages or costs resulting from the use, removal, or hazard abatement of asbestos materials shall be deposited in the Asbestos Abatement Distribution Fund (Fund 6740). All funds deposited into the Asbestos Abatement Distribution Fund are hereby appropriated to the Attorney General. To the extent practicable, the proceeds placed in the Asbestos Abatement Distribution Fund shall be divided among the state agencies and state-supported or state-assisted institutions of higher education in accordance with the general provisions of the litigation regarding the percentage of recovery. Distribution of the proceeds to each

state agency or state-supported or state-assisted institution of higher education shall be made in accordance with the Asbestos Abatement Distribution Plan to be developed by the Attorney General, the General Services Division within the Department of Administrative Services, and the Office of Budget and Management.

In those circumstances where asbestos litigation proceeds are for reimbursement of expenditures made with funds outside the state treasury or damages to buildings not constructed with state appropriations, direct payments shall be made to the affected institutions of higher education. Any proceeds received for reimbursement of expenditures made with funds within the state treasury or damages to buildings occupied by state agencies shall be distributed to the affected agencies with an intrastate transfer voucher to the funds identified in the Asbestos Abatement Distribution Plan.

These proceeds shall be used for additional asbestos abatement or encapsulation projects, or for other capital improvements, except that proceeds distributed to the General Revenue Fund and other funds that are not bond improvement funds may be used for any purpose. The Controlling Board may, for bond improvement funds, create appropriation items or increase appropriation authority in existing appropriation items equaling the amount of the proceeds. The amounts approved by the Controlling Board are hereby appropriated. The proceeds deposited in bond improvement funds shall not be expended until released by the Controlling Board, which shall require certification by the Director of Budget and Management that the proceeds are sufficient and available to fund the additional anticipated expenditures.

SECTION 509.130. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE REVISED CODE

The capital improvements for which appropriations are made in this act from the Higher Education Improvement Taxable Fund (Fund 7024), the Ohio Parks and Natural Resources Fund (Fund 7031), the School Building Program Assistance Fund (Fund 7032), the Higher Education Improvement Fund (Fund 7034), the State Capital Improvements Fund (Fund 7038), the Coal Research and Development Fund (Fund 7046), and the Clean Ohio Trail Fund (Fund 7061) are determined to be capital improvements and capital facilities for natural resources, a statewide system of common schools, state-supported and state-assisted institutions of higher education, and local subdivision capital improvement projects and are designated as capital facilities to which proceeds of obligations issued under Chapter 151. of the Revised Code are to be applied.

SECTION 509.150. OBLIGATIONS ISSUED UNDER CHAPTER 154.
OF THE REVISED CODE

The capital improvements for which appropriations are made in this act from the Administrative Building Fund (Fund 7026), the Adult Correctional Building Fund (Fund 7027), the Juvenile Correctional Building Fund (Fund 7028), the Cultural and Sports Facilities Building Fund (Fund 7030), the Mental Health Facilities Improvement Fund (Fund 7033), and the Parks and Recreation Improvement Fund (Fund 7035) are determined to be capital improvements and capital facilities for housing state agencies and branches of government, mental hygiene and retardation, and parks and recreation and are designated as capital facilities to which proceeds of obligations issued under Chapter 154. of the Revised Code are to be applied.

SECTION 512.10. TRANSFER OF OPEN ENCUMBRANCES

Upon the request of the agency to which a capital project appropriation item is appropriated, the Director of Budget and Management may transfer open encumbrance amounts between separate encumbrances for the project appropriation item to the extent that any reductions in encumbrances are agreed to by the contracting vendor and the agency.

SECTION 518.10. LITIGATION PROCEEDS TO THE
ADMINISTRATIVE BUILDING FUND

Any proceeds received by the state as the result of litigation or a settlement agreement related to any liability for the planning, design, engineering, construction, or construction management of facilities operated by the Department of Administrative Services shall be deposited into the Administrative Building Fund (Fund 7026).

SECTION 518.30. TRANSFERS OF HIGHER EDUCATIONAL
CAPITAL APPROPRIATIONS

The Director of Budget and Management may transfer appropriations between the Higher Education Improvement Fund and the Higher Education Improvement Taxable Fund as necessary to maintain the exclusion from the calculation of gross income for federal income taxation purposes under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1 et seq., with respect to obligations issued to fund projects appropriated from the Higher Education Improvement Fund.

The Director may also create new appropriation items within the Higher Education Improvement Taxable Fund and make transfers of appropriations to them for projects originally funded from appropriations made from the Higher Education Improvement Fund. The projects that are funded under new appropriation items created in this manner shall automatically be designated as specific for purposes of section 126.14 of the Revised Code.

SECTION 701.20. MULTI-AGENCY RADIO COMMUNICATIONS SYSTEM

The Multi-Agency Radio Communications System (MARCS) is a statewide computer and communications network designed to provide instant voice and data communication and supply a communications backbone to public safety and emergency management. The Department of Administrative Services may update or add functionality to MARCS to upgrade the existing system to a 700/800 megahertz voice and data system specifically designed to support interoperable communications for public safety law enforcement and first responders. The improvements may include, but are not limited to, hardware and software and the installation and implementation thereof. Any lease-purchase agreement utilized under Chapter 125. of the Revised Code to finance MARCS and the enhancements described above, including any fractionalized interest therein as defined in division (N) of section 133.01 of the Revised Code, is limited in amount to not more than \$90,000,000, and shall provide at the end of the lease period that the financed asset becomes the property of the state. The Department shall present to the Controlling Board the business plan or model regarding the MARCS improvements before any money to make those improvements is allocated.

SECTION 757.10. STATE TAXATION ACCOUNTING AND REVENUE SYSTEM

The Department of Administrative Services, in conjunction with the Department of Taxation, may acquire and implement the State Taxation Accounting and Revenue System (STARS) pursuant to Chapter 125. of the Revised Code, including, but not limited to, the application hardware and software and the installation and implementation thereof, for the use of the Department of Taxation. STARS is an integrated tax collection and audit system that will replace all of the state's existing separate tax software and administration systems for the various taxes collected by the state. Any lease-purchase agreement utilized under Chapter 125. of the Revised Code

to finance STARS, including any fractionalized interests therein as defined in division (N) of section 133.01 of the Revised Code, is limited in amount to not more than \$20,000,000, and shall provide at the end of the lease period that the financed asset becomes the property of the state.

SECTION 809.10. Sections of this act prefixed with a section number in the 200s are and remain in full force and effect commencing on July 1, 2012, and terminating on June 30, 2014, for the purpose of drawing money from the state treasury in payment of liabilities lawfully incurred under those sections, and on June 30, 2014, and not before, the moneys hereby appropriated lapse into the funds from which they are severally appropriated. If, under Section 1c of Article II, Ohio Constitution, the sections of this act prefixed with a section number in the 200s do not take effect until after July 1, 2012, the sections are and remain in full force and effect commencing on that effective date.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. H. B. No. 482

129th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ___ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____