

**As Passed by the Senate**

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**Am. Sub. S. B. No. 181**

**Senator Wagoner**

**Cosponsors: Senators Jones, LaRose, Patton, Sawyer, Tavares, Turner,  
Bacon, Balderson, Beagle, Coley, Daniels, Hite, Hughes, Lehner, Manning,  
Obhof, Oelslager, Widener**

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**A B I L L**

To amend sections 127.16, 149.54, 317.08, 1506.30, 1  
and 3714.03, to enact sections 149.307 and 2  
4503.95, and to repeal sections 149.51 and 149.55 3  
of the Revised Code to implement recommendations 4  
of the Ohio Legislative Commission on the 5  
Education and Preservation of State History. 6

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

**Section 1.** That sections 127.16, 149.54, 317.08, 1506.30, and 7  
3714.03 be amended and that sections 149.307 and 4503.95 of the 8  
Revised Code be enacted to read as follows: 9

**Sec. 127.16.** (A) Upon the request of either a state agency or 11  
the director of budget and management and after the controlling 12  
board determines that an emergency or a sufficient economic reason 13  
exists, the controlling board may approve the making of a purchase 14  
without competitive selection as provided in division (B) of this 15  
section. 16

(B) Except as otherwise provided in this section, no state 17  
agency, using money that has been appropriated to it directly, 18

shall: 19

(1) Make any purchase from a particular supplier, that would 20  
amount to fifty thousand dollars or more when combined with both 21  
the amount of all disbursements to the supplier during the fiscal 22  
year for purchases made by the agency and the amount of all 23  
outstanding encumbrances for purchases made by the agency from the 24  
supplier, unless the purchase is made by competitive selection or 25  
with the approval of the controlling board; 26

(2) Lease real estate from a particular supplier, if the 27  
lease would amount to seventy-five thousand dollars or more when 28  
combined with both the amount of all disbursements to the supplier 29  
during the fiscal year for real estate leases made by the agency 30  
and the amount of all outstanding encumbrances for real estate 31  
leases made by the agency from the supplier, unless the lease is 32  
made by competitive selection or with the approval of the 33  
controlling board. 34

(C) Any person who authorizes a purchase in violation of 35  
division (B) of this section shall be liable to the state for any 36  
state funds spent on the purchase, and the attorney general shall 37  
collect the amount from the person. 38

(D) Nothing in division (B) of this section shall be 39  
construed as: 40

(1) A limitation upon the authority of the director of 41  
transportation as granted in sections 5501.17, 5517.02, and 42  
5525.14 of the Revised Code; 43

(2) Applying to medicaid provider agreements under Chapter 44  
5111. of the Revised Code; 45

(3) Applying to the purchase of examinations from a sole 46  
supplier by a state licensing board under Title XLVII of the 47  
Revised Code; 48

(4) Applying to entertainment contracts for the Ohio state fair entered into by the Ohio expositions commission, provided that the controlling board has given its approval to the commission to enter into such contracts and has approved a total budget amount for such contracts as agreed upon by commission action, and that the commission causes to be kept itemized records of the amounts of money spent under each contract and annually files those records with the clerk of the house of representatives and the clerk of the senate following the close of the fair;

(5) Limiting the authority of the chief of the division of mineral resources management to contract for reclamation work with an operator mining adjacent land as provided in section 1513.27 of the Revised Code;

(6) Applying to investment transactions and procedures of any state agency, except that the agency shall file with the board the name of any person with whom the agency contracts to make, broker, service, or otherwise manage its investments, as well as the commission, rate, or schedule of charges of such person with respect to any investment transactions to be undertaken on behalf of the agency. The filing shall be in a form and at such times as the board considers appropriate.

(7) Applying to purchases made with money for the per cent for arts program established by section 3379.10 of the Revised Code;

(8) Applying to purchases made by the rehabilitation services commission of services, or supplies, that are provided to persons with disabilities, or to purchases made by the commission in connection with the eligibility determinations it makes for applicants of programs administered by the social security administration;

(9) Applying to payments by the department of job and family

services under section 5111.13 of the Revised Code for group	80
health plan premiums, deductibles, coinsurance, and other	81
cost-sharing expenses;	82
(10) Applying to any agency of the legislative branch of the	83
state government;	84
(11) Applying to agreements or contracts entered into under	85
section 5101.11, 5101.20, 5101.201, 5101.21, or 5101.214 of the	86
Revised Code;	87
(12) Applying to purchases of services by the adult parole	88
authority under section 2967.14 of the Revised Code or by the	89
department of youth services under section 5139.08 of the Revised	90
Code;	91
(13) Applying to dues or fees paid for membership in an	92
organization or association;	93
(14) Applying to purchases of utility services pursuant to	94
section 9.30 of the Revised Code;	95
(15) Applying to purchases made in accordance with rules	96
adopted by the department of administrative services of motor	97
vehicle, aviation, or watercraft fuel, or emergency repairs of	98
such vehicles;	99
(16) Applying to purchases of tickets for passenger air	100
transportation;	101
(17) Applying to purchases necessary to provide public	102
notifications required by law or to provide notifications of job	103
openings;	104
(18) Applying to the judicial branch of state government;	105
(19) Applying to purchases of liquor for resale by the	106
division of liquor control;	107
(20) Applying to purchases of motor courier and freight	108
services made in accordance with department of administrative	109

services rules;	110
(21) Applying to purchases from the United States postal	111
service and purchases of stamps and postal meter replenishment	112
from vendors at rates established by the United States postal	113
service;	114
(22) Applying to purchases of books, periodicals, pamphlets,	115
newspapers, maintenance subscriptions, and other published	116
materials;	117
(23) Applying to purchases from other state agencies,	118
including state-assisted institutions of higher education <u>or the</u>	119
<u>Ohio historical society</u> ;	120
(24) Limiting the authority of the director of environmental	121
protection to enter into contracts under division (D) of section	122
3745.14 of the Revised Code to conduct compliance reviews, as	123
defined in division (A) of that section;	124
(25) Applying to purchases from a qualified nonprofit agency	125
pursuant to sections 125.60 to 125.6012 or 4115.31 to 4115.35 of	126
the Revised Code;	127
(26) Applying to payments by the department of job and family	128
services to the United States department of health and human	129
services for printing and mailing notices pertaining to the tax	130
refund offset program of the internal revenue service of the	131
United States department of the treasury;	132
(27) Applying to contracts entered into by the department of	133
developmental disabilities under section 5123.18 of the Revised	134
Code;	135
(28) Applying to payments made by the department of mental	136
health under a physician recruitment program authorized by section	137
5119.101 of the Revised Code;	138
(29) Applying to contracts entered into with persons by the	139

director of commerce for unclaimed funds collection and remittance 140  
efforts as provided in division (F) of section 169.03 of the 141  
Revised Code. The director shall keep an itemized accounting of 142  
unclaimed funds collected by those persons and amounts paid to 143  
them for their services. 144

(30) Applying to purchases made by a state institution of 145  
higher education in accordance with the terms of a contract 146  
between the vendor and an inter-university purchasing group 147  
comprised of purchasing officers of state institutions of higher 148  
education; 149

(31) Applying to the department of job and family services' 150  
purchases of health assistance services under the children's 151  
health insurance program part I provided for under section 5101.50 152  
of the Revised Code, the children's health insurance program part 153  
II provided for under section 5101.51 of the Revised Code, or the 154  
children's health insurance program part III provided for under 155  
section 5101.52 of the Revised Code; 156

(32) Applying to payments by the attorney general from the 157  
reparations fund to hospitals and other emergency medical 158  
facilities for performing medical examinations to collect physical 159  
evidence pursuant to section 2907.28 of the Revised Code; 160

(33) Applying to contracts with a contracting authority or 161  
administrative receiver under division (B) of section 5126.056 of 162  
the Revised Code; 163

(34) Applying to purchases of goods and services by the 164  
department of veterans services in accordance with the terms of 165  
contracts entered into by the United States department of veterans 166  
affairs; 167

(35) Applying to payments by the superintendent of the bureau 168  
of criminal identification and investigation to the federal bureau 169  
of investigation for criminal records checks pursuant to section 170

109.572 of the Revised Code;	171
(36) Applying to contracts entered into by the department of job and family services under section 5111.054 of the Revised Code;	172 173 174
<u>(37) Applying to payments to the Ohio historical society from other state agencies.</u>	175 176
(E) When determining whether a state agency has reached the cumulative purchase thresholds established in divisions (B)(1) and (2) of this section, all of the following purchases by such agency shall not be considered:	177 178 179 180
(1) Purchases made through competitive selection or with controlling board approval;	181 182
(2) Purchases listed in division (D) of this section;	183
(3) For the purposes of the threshold of division (B)(1) of this section only, leases of real estate.	184 185
(F) As used in this section, "competitive selection," "purchase," "supplies," and "services" have the same meanings as in section 125.01 of the Revised Code.	186 187 188
<u>Sec. 149.307. There is hereby created in the state treasury the "Ohio history" license plate fund. The fund shall consist of the contributions that are paid to the registrar of motor vehicles by applicants who choose to obtain "Ohio history" license plates pursuant to section 4503.95 of the Revised Code.</u>	187 188 189 190 191
<u>The contributions deposited in the fund shall be used by the Ohio historical society to provide grants to historical organizations located in this state. An organization that receives a grant under this section shall use the grant only to host exhibits and increase access to its collection by the public.</u>	192 193 194 195 196
<u>The society shall establish and administer all aspects of the</u>	197

grant program, including eligibility requirements for receiving a 198  
grant under the program. During the four years immediately 199  
following the effective date of this section, the primary focus of 200  
the grant program shall be the commemoration of the 201  
sesquicentennial of the civil war between the United States of 202  
America and the Confederate States of America. 203

Not later than the last business day of January of each year, 204  
the society shall prepare and submit to the general assembly a 205  
written report, detailing all aspects of the grant program during 206  
the immediately preceding calendar year. 207

**Sec. 149.54.** In order to ensure that archaeological survey 208  
and salvage work on public lands, dedicated archaeological 209  
preserves, and registered state archaeological landmarks is 210  
conducted in a scientific manner, the director of the Ohio 211  
historical society shall, in consultation with the Ohio 212  
archaeological council and the archaeological society of Ohio, 213  
adopt and may amend or rescind rules, in accordance with Chapter 214  
119. of the Revised Code, prescribing minimum education, training, 215  
and experience requirements for personnel in charge of or 216  
otherwise engaging in archaeological survey and salvage work, and 217  
prescribing scientific methods for undertaking such activities. 218

No person shall engage in archaeological survey or salvage 219  
work on any land that is owned, controlled, or administered by the 220  
state or any political subdivision of the state, or at any 221  
archaeological preserve, dedicated under section 149.52 of the 222  
Revised Code, ~~or at any state archaeological landmark registered~~ 223  
~~under section 149.51 of the Revised Code,~~ without first obtaining 224  
the written permission of the director. To obtain permission, the 225  
applicant shall submit written application to the director, which 226  
application shall indicate the proposed location, the 227  
qualifications of personnel who will be engaged in the 228



archaeological survey or salvage work, the proposed methods of 229  
survey or salvage, and such other information as the director 230  
requires by rule. 231

The director shall deny the applicant permission to engage in 232  
archaeological survey or salvage work at the proposed location if 233  
the applicant's proposed undertaking will not comply with the 234  
rules adopted under this section. The director shall by written 235  
order approve or deny permission to disturb the site. If the 236  
director decides to deny permission, the order shall state the 237  
reasons for denial, and the director shall afford the applicant an 238  
adjudication hearing under Chapter 119. of the Revised Code. The 239  
requirements of this section and of any rule adopted pursuant to 240  
this section shall not apply to any department, agency, unit, 241  
instrumentality, or political subdivision of the state. 242

Whoever violates this section is guilty of a misdemeanor of 243  
the second degree. Whoever violates or threatens to violate this 244  
section may be enjoined from violation. 245

**Sec. 317.08.** (A) Except as provided in divisions (C) and (D) 246  
of this section, the county recorder shall keep six separate sets 247  
of records as follows: 248

(1) A record of deeds, in which shall be recorded all deeds 249  
and other instruments of writing for the absolute and 250  
unconditional sale or conveyance of lands, tenements, and 251  
hereditaments; all notices as provided in sections 5301.47 to 252  
5301.56 of the Revised Code; all judgments or decrees in actions 253  
brought under section 5303.01 of the Revised Code; all 254  
declarations and bylaws, and all amendments to declarations and 255  
bylaws, as provided in Chapter 5311. of the Revised Code; 256  
affidavits as provided in sections 5301.252 and 5301.56 of the 257  
Revised Code; all certificates as provided in section 5311.17 of 258  
the Revised Code; all articles dedicating archaeological preserves 259

accepted by the director of the Ohio historical society under 260  
section 149.52 of the Revised Code; all articles dedicating nature 261  
preserves accepted by the director of natural resources under 262  
section 1517.05 of the Revised Code; ~~all agreements for the~~ 263  
~~registration of lands as archaeological or historic landmarks~~ 264  
~~under section 149.51 or 149.55 of the Revised Code;~~ all 265  
conveyances of conservation easements and agricultural easements 266  
under section 5301.68 of the Revised Code; all instruments 267  
extinguishing agricultural easements under section 901.21 or 268  
5301.691 of the Revised Code or pursuant to terms of such an 269  
easement granted to a charitable organization under section 270  
5301.68 of the Revised Code; all instruments or orders described 271  
in division (B)(2)(b) of section 5301.56 of the Revised Code; all 272  
no further action letters issued under section 122.654 or 3746.11 273  
of the Revised Code; all covenants not to sue issued under section 274  
3746.12 of the Revised Code, including all covenants not to sue 275  
issued pursuant to section 122.654 of the Revised Code; any 276  
restrictions on the use of property contained in a no further 277  
action letter issued under section 122.654 of the Revised Code, 278  
any restrictions on the use of property identified pursuant to 279  
division (C)(3)(a) of section 3746.10 of the Revised Code, and any 280  
restrictions on the use of property contained in a deed or other 281  
instrument as provided in division (E) or (F) of section 3737.882 282  
of the Revised Code; any easement executed or granted under 283  
section 3734.22, 3734.24, 3734.25, or 3734.26 of the Revised Code; 284  
any environmental covenant entered into in accordance with 285  
sections 5301.80 to 5301.92 of the Revised Code; all memoranda of 286  
trust, as described in division (A) of section 5301.255 of the 287  
Revised Code, that describe specific real property; and all 288  
agreements entered into under division (A) of section 1506.44 of 289  
the Revised Code; 290

(2) A record of mortgages, in which shall be recorded all of 291  
the following: 292

(a) All mortgages, including amendments, supplements,	293
modifications, and extensions of mortgages, or other instruments	294
of writing by which lands, tenements, or hereditaments are or may	295
be mortgaged or otherwise conditionally sold, conveyed, affected,	296
or encumbered;	297
(b) All executory installment contracts for the sale of land	298
executed after September 29, 1961, that by their terms are not	299
required to be fully performed by one or more of the parties to	300
them within one year of the date of the contracts;	301
(c) All options to purchase real estate, including	302
supplements, modifications, and amendments of the options, but no	303
option of that nature shall be recorded if it does not state a	304
specific day and year of expiration of its validity;	305
(d) Any tax certificate sold under section 5721.33 of the	306
Revised Code, or memorandum of it, that is presented for filing of	307
record.	308
(3) A record of powers of attorney, including all memoranda	309
of trust, as described in division (A) of section 5301.255 of the	310
Revised Code, that do not describe specific real property;	311
(4) A record of plats, in which shall be recorded all plats	312
and maps of town lots, of the subdivision of town lots, and of	313
other divisions or surveys of lands, any center line survey of a	314
highway located within the county, the plat of which shall be	315
furnished by the director of transportation or county engineer,	316
and all drawings and amendments to drawings, as provided in	317
Chapter 5311. of the Revised Code;	318
(5) A record of leases, in which shall be recorded all	319
leases, memoranda of leases, and supplements, modifications, and	320
amendments of leases and memoranda of leases;	321
(6) A record of declarations executed pursuant to section	322
2133.02 of the Revised Code and durable powers of attorney for	323

health care executed pursuant to section 1337.12 of the Revised Code. 324  
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(B) All instruments or memoranda of instruments entitled to record shall be recorded in the proper record in the order in which they are presented for record. The recorder may index, keep, and record in one volume unemployment compensation liens, internal revenue tax liens and other liens in favor of the United States as described in division (A) of section 317.09 of the Revised Code, personal tax liens, mechanic's liens, agricultural product liens, notices of liens, certificates of satisfaction or partial release of estate tax liens, discharges of recognizances, excise and franchise tax liens on corporations, broker's liens, and liens provided for in sections 1513.33, 1513.37, 3752.13, 5111.022, and 5311.18 of the Revised Code. 326  
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The recording of an option to purchase real estate, including any supplement, modification, and amendment of the option, under this section shall serve as notice to any purchaser of an interest in the real estate covered by the option only during the period of the validity of the option as stated in the option. 338  
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(C) In lieu of keeping the six separate sets of records required in divisions (A)(1) to (6) of this section and the records required in division (D) of this section, a county recorder may record all the instruments required to be recorded by this section in two separate sets of record books. One set shall be called the "official records" and shall contain the instruments listed in divisions (A)(1), (2), (3), (5), and (6) and (D) of this section. The second set of records shall contain the instruments listed in division (A)(4) of this section. 343  
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(D) Except as provided in division (C) of this section, the county recorder shall keep a separate set of records containing all corrupt activity lien notices filed with the recorder pursuant to section 2923.36 of the Revised Code and a separate set of 352  
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records containing all medicaid fraud lien notices filed with the 356  
recorder pursuant to section 2933.75 of the Revised Code. 357

**Sec. 1506.30.** As used in sections 1506.30 to 1506.36 of the 358  
Revised Code: 359

(A) "Abandoned property" means a submerged aircraft; a 360  
submerged watercraft, including a ship, boat, canoe, skiff, raft, 361  
or barge; the rigging, gear, fittings, trappings, and equipment of 362  
a submerged aircraft or watercraft; the personal property of the 363  
officers, crew, and passengers of a submerged aircraft or 364  
watercraft; the cargo of a submerged aircraft or watercraft that 365  
has been deserted, relinquished, cast away, or left behind and for 366  
which attempts at reclamation have been abandoned by the owners 367  
and insurers; and submerged materials resulting from activities of 368  
prehistoric and historic native Americans. 369

(B) "Lake Erie" means that portion of the waters and lands of 370  
Lake Erie belonging to the state as provided in section 1506.10 of 371  
the Revised Code. 372

(C) "Historical value" means the quality of significance 373  
exemplified by an object, structure, site, or district that is 374  
included in or eligible for inclusion in ~~the state registry of~~ 375  
~~archaeological landmarks authorized under section 149.51 of the~~ 376  
~~Revised Code, the state registry of historic landmarks authorized~~ 377  
~~under section 149.55 of the Revised Code, or the national register~~ 378  
of historic places. 379

(D) "Marine surveyor" means a person engaged in the business 380  
of mapping or surveying submerged lands and abandoned property. 381

(E) "Mechanical or other assistance" means all artificial 382  
devices used to raise or remove artifacts from abandoned property, 383  
including pry bars, wrenches and other hand or power tools, 384  
cutting torches, explosives, winches, flotation bags, lines to 385

surface, extra divers buoyancy devices, and other buoyancy 386  
devices. 387

(F) "Recreational value" means value relating to an activity 388  
in which the public engages or may engage for recreation or sport, 389  
including scuba diving and fishing, as determined by the director 390  
of natural resources. 391

**Sec. 3714.03.** (A) As used in this section: 392

(1) "Aquifer system" means one or more geologic units or 393  
formations that are wholly or partially saturated with water and 394  
are capable of storing, transmitting, and yielding significant 395  
amounts of water to wells or springs. 396

(2) "Category 3 wetland" means a wetland that supports 397  
superior habitat or hydrological or recreational functions as 398  
determined by an appropriate wetland evaluation methodology 399  
acceptable to the director of environmental protection. "Category 400  
3 wetland" includes a wetland with high levels of diversity, a 401  
high proportion of native species, and high functional values and 402  
includes, but is not limited to, a wetland that contains or 403  
provides habitat for threatened or endangered species. "Category 3 404  
wetland" may include high quality forested wetlands, including old 405  
growth forested wetlands, mature forested riparian wetlands, 406  
vernal pools, bogs, fens, and wetlands that are scarce regionally. 407

(3) "Natural area" means either of the following: 408

(a) An area designated by the director of natural resources 409  
as a wild, scenic, or recreational river under section 1547.81 of 410  
the Revised Code; 411

(b) An area designated by the United States department of the 412  
interior as a national wild, scenic, or recreational river. 413

(4) "Occupied dwelling" means a residential dwelling and also 414  
includes a place of worship as defined in section 5104.01 of the 415

Revised Code, a child day-care center as defined in that section, 416  
a hospital as defined in section 3727.01 of the Revised Code, a 417  
nursing home as defined in that section, a school, and a 418  
restaurant or other eating establishment. "Occupied dwelling" does 419  
not include a dwelling owned or controlled by the owner or 420  
operator of a construction and demolition debris facility to which 421  
the siting criteria established under this section are being 422  
applied. 423

(5) "Residential dwelling" means a building used or intended 424  
to be used in whole or in part as a personal residence by the 425  
owner, part-time owner, or lessee of the building or any person 426  
authorized by the owner, part-time owner, or lessee to use the 427  
building as a personal residence. 428

(B) Neither the director of environmental protection nor any 429  
board of health shall issue a permit to install under section 430  
3714.051 of the Revised Code to establish a new construction and 431  
demolition debris facility when any portion of the facility is 432  
proposed to be located in either of the following locations: 433

(1) Within the boundaries of a one-hundred-year flood plain, 434  
as those boundaries are shown on the applicable maps prepared 435  
under the "National Flood Insurance Act of 1968," 82 Stat. 572, 42 436  
U.S.C.A. 4001, as amended, unless the owner or operator has 437  
obtained an exemption from division (B)(1) of this section in 438  
accordance with section 3714.04 of the Revised Code. If no such 439  
maps have been prepared, the boundaries of a one-hundred-year 440  
flood plain shall be determined by the applicant for a permit 441  
based upon standard methodologies set forth in "urban hydrology 442  
for small watersheds" (soil conservation service technical release 443  
number 55) and section 4 of the "national engineering hydrology 444  
handbook" of the soil conservation service of the United States 445  
department of agriculture. 446

(2) Within the boundaries of a sole source aquifer designated 447

by the administrator of the United States environmental protection 448  
agency under the "Safe Drinking Water Act," 88 Stat. 1660 (1974), 449  
42 U.S.C.A. 300f, as amended. 450

(C) Neither the director nor any board shall issue a permit 451  
to install under section 3714.051 of the Revised Code to establish 452  
a new construction and demolition debris facility when the 453  
horizontal limits of construction and demolition debris placement 454  
at the new facility are proposed to be located in any of the 455  
following locations: 456

(1) Within one hundred feet of a perennial stream as defined 457  
by the United States geological survey seven and one-half minute 458  
quadrangle map or a category 3 wetland; 459

(2) Within one hundred feet of the facility's property line; 460

(3)(a) Except as provided in division (C)(3)(b) of this 461  
section, within five hundred feet of a residential or public water 462  
supply well. 463

(b) Division (C)(3)(a) of this section does not apply to a 464  
residential well under any of the circumstances specified in 465  
divisions (C)(3)(b)(i) to (iii) of this section as follows: 466

(i) The well is controlled by the owner or operator of the 467  
construction and demolition debris facility. 468

(ii) The well is hydrologically separated from the horizontal 469  
limits of construction and demolition debris placement. 470

(iii) The well is at least three hundred feet upgradient from 471  
the horizontal limits of construction and demolition debris 472  
placement and division (D) of this section does not prohibit the 473  
issuance of the permit to install. 474

(4) Within five hundred feet of a park created or operated 475  
pursuant to section 301.26, 511.18, 755.08, 1545.04, or 1545.041 476  
of the Revised Code, a state park established or dedicated under 477



Chapter 1541. of the Revised Code, a state park purchase area 478  
established under section 1541.02 of the Revised Code, a national 479  
recreation area, any unit of the national park system, or any 480  
property that lies within the boundaries of a national park or 481  
recreation area, but that has not been acquired or is not 482  
administered by the secretary of the United States department of 483  
the interior, located in this state, or any area located in this 484  
state that is recommended by the secretary for study for potential 485  
inclusion in the national park system in accordance with "The Act 486  
of August 18, 1970," 84 Stat. 825, 16 U.S.C.A. 1a-5, as amended; 487

(5) Within five hundred feet of a natural area, any area 488  
established by the department of natural resources as a state 489  
wildlife area under Chapter 1531. of the Revised Code and rules 490  
adopted under it, any area that is formally dedicated as a nature 491  
preserve under section 1517.05 of the Revised Code, or any area 492  
designated by the United States department of the interior as a 493  
national wildlife refuge; 494

(6) Within five hundred feet of a lake or reservoir of one 495  
acre or more that is hydrogeologically connected to ground water. 496  
For purposes of division (C)(6) of this section, a lake or 497  
reservoir does not include a body of water constructed and used 498  
for purposes of surface water drainage or sediment control. 499

(7) Within five hundred feet of a state forest purchased or 500  
otherwise acquired under Chapter 1503. of the Revised Code; 501

~~(8) Within five hundred feet of land that is placed on the 502  
state registry of historic landmarks under section 149.55 of the 503  
Revised Code; 504~~

~~(9) Within five hundred feet of an occupied dwelling unless 505  
written permission is given by the owner of the dwelling. 506~~

(D) Neither the director nor any board shall issue a permit 507  
to install under section 3714.051 of the Revised Code to establish 508

a new construction and demolition debris facility when the limits 509  
of construction and demolition debris placement at the new 510  
facility are proposed to have an isolation distance of less than 511  
five feet from the uppermost aquifer system that consists of 512  
material that has a maximum hydraulic conductivity of  $1 \times 10^{-5}$  513  
cm/sec and all of the geologic material comprising the isolation 514  
distance has a hydraulic conductivity equivalent to or less than  $1$  515  
 $\times 10^{-6}$  cm/sec. 516

(E) Neither the director nor any board shall issue a permit 517  
to install under section 3714.051 of the Revised Code to establish 518  
a new construction and demolition debris facility when the road 519  
that is designated by the owner or operator as the main hauling 520  
road at the facility to and from the limits of construction and 521  
demolition debris placement is proposed to be located within five 522  
hundred feet of an occupied dwelling unless written permission is 523  
given by the owner of the occupied dwelling. 524

(F) Neither the director nor any board shall issue a permit 525  
to install under section 3714.051 of the Revised Code to establish 526  
a new construction and demolition debris facility unless the new 527  
facility will have all of the following: 528

(1) Access roads that shall be constructed in a manner that 529  
allows use in all weather conditions and will withstand the 530  
anticipated degree of use and minimize erosion and generation of 531  
dust; 532

(2) Surface water drainage and sediment controls that are 533  
required by the director; 534

(3) If the facility is proposed to be located in an area in 535  
which an applicable zoning resolution allows residential 536  
construction, vegetated earthen berms or an equivalent barrier 537  
with a minimum height of six feet separating the facility from 538  
adjoining property. 539

(G)(1) The siting criteria established in this section shall 540  
be applied to an application for a permit to install at the time 541  
that the application is submitted to the director or a board of 542  
health, as applicable. Circumstances related to the siting 543  
criteria that change after the application is submitted shall not 544  
be considered in approving or disapproving the application. 545

(2) The siting criteria established in this section by this 546  
amendment do not apply to an expansion of a construction and 547  
demolition debris facility that was in operation prior to December 548  
22, 2005, onto property within the property boundaries identified 549  
in the application for the initial license for that facility or 550  
any subsequent license issued for that facility up to and 551  
including the license issued for that facility for calendar year 552  
2005. The siting criteria established in this section prior to 553  
December 22, 2005, apply to such an expansion. 554

**Sec. 4503.95.** (A) The owner or lessee of any passenger car, 555  
noncommercial motor vehicle, recreational vehicle, or other 556  
vehicle of a class approved by the registrar of motor vehicles may 557  
apply to the registrar for the registration of the vehicle and 558  
issuance of "Ohio history" license plates. The application for 559  
"Ohio history" license plates may be combined with a request for a 560  
special reserved license plate under section 4503.40 or 4503.42 of 561  
the Revised Code. Upon receipt of the completed application and 562  
compliance with division (B) of this section, the registrar shall 563  
issue to the applicant the appropriate vehicle registration and a 564  
set of "Ohio history" license plates with a validation sticker or 565  
a validation sticker alone when required by section 4503.191 of 566  
the Revised Code. In addition to the letters and numbers 567  
ordinarily inscribed thereon, "Ohio history" license plates shall 568  
be inscribed with words and markings selected and designed by the 569  
Ohio historical society and approved by the registrar. "Ohio 570  
history" license plates shall bear county identification stickers 571

that identify the county of registration by name or number. 572

(B) "Ohio history" license plates and validation stickers 573  
shall be issued upon payment of the regular license tax as 574  
prescribed under section 4503.04 of the Revised Code, any 575  
applicable motor vehicle tax levied under Chapter 4504. of the 576  
Revised Code, a bureau of motor vehicles administrative fee of ten 577  
dollars, the contribution specified in division (C) of this 578  
section, and compliance with all other applicable laws relating to 579  
the registration of motor vehicles. If the application for "Ohio 580  
history" license plates is combined with a request for a special 581  
reserved license plate under section 4503.40 or 4503.42 of the 582  
Revised Code, the license plates and validation sticker shall be 583  
issued upon payment of the contribution, fees, and taxes contained 584  
in this division and the additional fee prescribed under section 585  
4503.40 or 4503.42 of the Revised Code. 586

(C) For each application for registration and registration 587  
renewal submitted under this section, the registrar shall collect 588  
a contribution of twenty dollars. The registrar shall transmit 589  
this contribution to the treasurer of state for deposit in the 590  
Ohio history license plate contribution fund created in section 591  
149.307 of the Revised Code. 592

The registrar shall deposit the ten-dollar bureau 593  
administrative fee, the purpose of which is to compensate the 594  
bureau for additional services required in issuing "Ohio history" 595  
license plates, in the state bureau of motor vehicles fund created 596  
in section 4501.25 of the Revised Code. 597

**Section 2.** That existing sections 127.16, 149.54, 317.08, 598  
1506.30, and 3714.03 and sections 149.51 and 149.55 of the Revised 599  
Code are hereby repealed. 600

**Section 3.** (A) The Ohio Cemetery Law Task Force shall develop 601

recommendations on modifications of the laws of this state 602  
relating to cemeteries. 603

(B) The Ohio Cemetery Law Task Force is established. The Task 604  
Force shall consist of the following eleven members: a 605  
representative of local government, other than townships, 606  
appointed by the President of the Senate; a representative of the 607  
Ohio Township Association appointed by the President of the 608  
Senate; a representative of Native Americans appointed by the 609  
President of the Senate; a representative of private cemeteries 610  
appointed by the Speaker of the House of Representatives; a 611  
representative of the Ohio Historical Society appointed by the 612  
Speaker of the House of Representatives; a representative of 613  
archeologists appointed by the Speaker of the House of 614  
Representatives; a representative of the Ohio Genealogical Society 615  
appointed by the Governor; a representative of the Ohio Cemetery 616  
Dispute Resolution Commission appointed by the Governor; a 617  
representative of the Division of Real Estate and Professional 618  
Licensing in the Department of Commerce appointed by the Governor; 619  
a representative of the Department of Transportation appointed by 620  
the Governor; and a representative of the Department of Natural 621  
Resources appointed by the Governor. 622

The initial appointments shall be made not later than thirty 623  
days after the effective date of this section. Vacancies shall be 624  
filled in the manner provided for original appointments. 625

The Task Force shall elect two of its members to serve as 626  
co-chairpersons of the Task Force. 627

The Task Force shall meet as often as necessary to carry out 628  
its duties and responsibilities. Members of the Task Force shall 629  
serve without compensation. 630

(C) The Task Force shall issue a report of its 631  
recommendations to the President of the Senate, the Speaker of the 632

House of Representatives, and the Governor not later than one year 633  
after the effective date of this section. The Task Force ceases to 634  
exist upon submitting its report. 635

**Section 4.** The county recorder shall continue to keep six 636  
separate sets of records of all agreements for the registration of 637  
lands as archaeological or historic landmarks recorded before the 638  
effective date of this section. 639