

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**H. B. No. 416**

**Representatives Burkley, Hill**

**Cosponsors: Representatives Blessing, Brenner, Brown, Derickson, Dovilla,  
Hall, Hood, Landis, Kunze, Retherford, Roegner, Rosenberger, Stautberg,  
Thompson, Milkovich**

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**A B I L L**

To amend Section 733.10 of Am. Sub. H.B. 59 of the 1  
130th General Assembly to permit payment in fiscal 2  
year 2015 to school districts and STEM schools 3  
that exceed, by up to four days, the number of 4  
permitted "calamity" days in fiscal year 2014 and 5  
to declare an emergency. 6

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

**Section 1.** That Section 733.10 of Am. Sub. H.B. 59 of the 7  
130th General Assembly be amended to read as follows: 8

**Sec. 733.10.** Notwithstanding section 3317.01 of the Revised 9  
Code, as amended by ~~this act~~ Am. Sub. H.B. 59 of the 130th General 10  
Assembly, to determine whether a school district or STEM school 11  
established under Chapter 3326. of the Revised Code satisfied the 12  
minimum school year in the 2013-2014 school year in order to 13  
qualify for state funding under Chapter 3317. or 3326. of the 14  
Revised Code for fiscal year 2015, the Department of Education 15  
shall apply the criteria prescribed in the version of division (B) 16  
of section 3317.01 of the Revised Code in effect prior to July 1, 17

2014. However, no school district or STEM school shall be denied 18  
payments under Chapter 3317. or 3326. of the Revised Code for 19  
fiscal year 2015 solely because any school operated by the 20  
district or the STEM school was open for instruction during the 21  
2013-2014 school year for not more than four days fewer than the 22  
number of days required by the versions of sections 3313.48, 23  
3313.481, and 3317.01 of the Revised Code in effect prior to July 24  
1, 2014, if the reason the school was not open for the required 25  
number of days was due to any of the reasons set forth in division 26  
(B) of that version of section 3317.01 of the Revised Code. 27

**Section 2.** That existing Section 733.10 of Am. Sub. H.B. 59 28  
of the 130th General Assembly is hereby repealed. 29

**Section 3.** For determining payments for fiscal years 2014 and 30  
2015, the Department of Education shall continue to waive the 31  
number of hours or days of learning opportunities not offered to a 32  
student by a community school, established under Chapter 3314. of 33  
the Revised Code, for the reasons set forth in division (H)(4) of 34  
section 3314.08 of the Revised Code, so long as the school was 35  
actually open for instruction with students in attendance for not 36  
less than the minimum hours required under Chapter 3314. of the 37  
Revised Code. 38

**Section 4.** This act is hereby declared to be an emergency 39  
measure necessary for the immediate preservation of the public 40  
peace, health, and safety. The reason for the necessity is that 41  
immediate action is necessary to avoid delays in fiscal year 2015 42  
payments to school districts and STEM schools that exceeded the 43  
number of permitted calamity days in fiscal year 2014 because of a 44  
public calamity. Therefore, this act shall go into immediate 45  
effect. 46