

(V) If the student is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code, ~~\$19,290, for fiscal year 2024, and \$21,197 for fiscal year 2025~~ \$22,560;

(VI) If the student is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code, ~~\$28,438, for fiscal year 2024, and \$30,469 for fiscal year 2025~~ \$31,932.

(iii) ~~\$30,000, for fiscal year 2024, and \$32,445 for fiscal year 2025~~ \$34,000.

The amount specified in division (A)(13)(a)(ii) of this section shall increase in future fiscal years by the same percentage that the statewide average base cost per pupil increases in future fiscal years.

The amounts specified in divisions (A)(13)(a)(ii)(I) to (VI) of this section shall increase in future fiscal years by the same percentage that the amounts calculated by the general assembly for those categories of special education services under division (A)(3) of this section increase in future fiscal years.

(b) Compute the sum of the amounts calculated under division (A)(13)(a) of this section.

(14) If the funding unit is the community and STEM school unit, an equity supplement calculated as follows:

\$500 in fiscal year 2026 and \$400 in fiscal year 2027 X each student in the funding unit's enrolled ADM who is enrolled in a community school that is not an internet- or computer-based community school.

(15) If the funding unit is the nonchartered educational savings account unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, an amount calculated under section 3310.26 of the Revised Code;

(b) Compute the sum of the amounts calculated under division (A)(15)(a) of this section.

(B) In any fiscal year, a funding unit that is a city, local, or exempted village school district shall spend for purposes that the department designates as approved for special education and related services expenses at least the amount calculated as follows:

(The base cost per pupil calculated for the district for that fiscal year X the total special education ADM) + (the district's category one special education ADM X the multiple specified in division (A) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category two special education ADM X the multiple specified in division (B) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category three special education ADM X the multiple specified in division (C) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category four special education ADM X the multiple specified in division (D) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category five special education ADM X the multiple

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Date: 6/30/25

Mike DeWine

(I) For fiscal years ~~2024-2026~~ and ~~2025~~2027, a school district shall spend the funds it receives under division (A)(5) of this section only for services for English learners.

(J) For ~~fiscal year 2024 and each fiscal year thereafter~~, a school district shall spend the funds it receives under division (A)(6) of this section only for the identification of gifted students, gifted coordinator services, and gifted intervention specialist services, ~~and gifted professional development~~. For ~~fiscal year 2024 and each fiscal year thereafter~~, if the department determines that a district is not in compliance with this division, it shall reduce the district's payments for that fiscal year under this chapter by an amount equal to the amount paid to the district for that fiscal year under division (A)(6) of this section that was not spent in accordance with this division. The department shall reduce the payment within ninety days of data finalization.

RMD (K) The department shall transfer to each educational savings account established for a student by the treasurer of state under sections 3310.21 to 3310.26 of the Revised Code, from the funds paid to the nonchartered educational savings account unit under this section, an amount of funds equal to the amount calculated for the student under division (A)(15)(a) of this section. The department shall distribute those funds in one annual payment. To the extent practicable, the department shall make that payment for which an account is established prior to the school year for which it is sought before the first day of that school year.

Sec. 3317.024. The following shall be distributed monthly, quarterly, or annually as may be determined by the department of education and workforce:

(A) An amount for each island school district and each joint state school district for the operation of each high school and each elementary school maintained within such district and for capital improvements for such schools. Such amounts shall be determined on the basis of standards adopted by the department. However, for fiscal years 2012 and 2013, an island district shall receive the lesser of its actual cost of operation, as certified to the department, or ninety-three per cent of the amount the district received in state operating funding for fiscal year 2011. If an island district received no funding for fiscal year 2011, it shall receive no funding for either of fiscal year 2012 or 2013.

(B) An amount for each school district required to pay tuition for a child in an institution maintained by the department of youth services pursuant to section 3317.082 of the Revised Code, provided the child was not included in the calculation of the district's formula ADM, as that term is defined in section 3317.02 of the Revised Code, for the preceding school year.

(C)(1) An amount for the approved cost of transporting eligible pupils with disabilities attending a special education program approved by the department of education and workforce whom it is impossible or impractical to transport by regular school bus in the course of regular route transportation provided by the school district or educational service center. For fiscal years ~~2024~~ ~~2026~~ and ~~2025~~2027, this amount shall be equal to the actual costs incurred in the prior fiscal year by the district or service center when transporting those students, as reported to the department, multiplied by one of the following:

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Date: 6/30/25

Mike DeWine

Mike DeWine, Governor

The district's weighted wealth for that fiscal year calculated under division (B)(1) of this section/ (the district's enrolled ADM for that fiscal year - the students described in division (A)(1)(b) of section 3317.03 of the Revised Code + the students described in division (A)(2)(d) of section 3317.03 of the Revised Code)

(2) Determine the median weighted wealth per pupil of all school districts in this state for that fiscal year;

(3) Compute each district's wealth index for that fiscal year by dividing the median weighted wealth per pupil of all school districts in this state for that fiscal year by the district's weighted wealth per pupil for that fiscal year;

(4) Compute each district's wealth amount for that fiscal year, as follows:

(a) If the district's wealth index computed under division (C)(3) of this section for that fiscal year is less than 0.8, the district's wealth amount for that fiscal year shall be zero.

(b) If the district's wealth index computed under division (C)(3) of this section for that fiscal year is greater than or equal to 0.8, the district's wealth amount for that fiscal year shall be calculated in accordance with the following formula:

[(The median weighted wealth per pupil of all school districts in this state for that fiscal year X 0.014) - (the district's weighted wealth per pupil for that fiscal year X 0.0112)] X the district's enrolled ADM for that fiscal year

2nd Sec. 3317.03. (A) The superintendent of each city, local, and exempted village school district shall report to the department of education and workforce as of the last day of October, March, and June of each year the enrollment of students receiving services from schools under the superintendent's supervision, and the numbers of other students entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code the superintendent is required to report under this section, so that the department can calculate the district's enrolled ADM, formula ADM, total ADM, category one through five career-technical education ADM, category one through three English learner ADM, category one through six special education ADM, transportation ADM, and, for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership.

(1) The enrollment reported by the superintendent during the reporting period shall consist of the number of students in grades kindergarten through twelve receiving any educational services from the district, except that the following categories of students shall not be included in the determination:

(a) Students enrolled in adult education classes;

(b) Adjacent or other district students enrolled in the district under an open enrollment policy pursuant to section 3313.98 of the Revised Code;

(c) Students receiving services in the district pursuant to a compact, cooperative education agreement, or a contract, but who are entitled to attend school in another district pursuant to section 3313.64 or 3313.65 of the Revised Code;

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Date: *6/30/25*

Mike DeWine

(d) Students for whom tuition is payable pursuant to sections 3317.081 and 3323.141 of the Revised Code;

(e) Students receiving services in the district through a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code.

When reporting students under division (A)(1) of this section, the superintendent also shall report the district where each student is entitled to attend school pursuant to sections 3313.64 and 3313.65 of the Revised Code.

(2) The department shall compile a list of all students reported to be enrolled in a district under division (A)(1) of this section and of the students entitled to attend school in the district pursuant to section 3313.64 or 3313.65 of the Revised Code on an FTE basis but receiving educational services in grades kindergarten through twelve from one or more of the following entities:

(a) A community school pursuant to Chapter 3314. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in such community school;

(b) An alternative school pursuant to sections 3313.974 to 3313.979 of the Revised Code;

(c) A college pursuant to Chapter 3365. of the Revised Code, except when the student is enrolled in the college while also enrolled in a community school pursuant to Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(d) An adjacent or other school district under an open enrollment policy adopted pursuant to section 3313.98 of the Revised Code;

(e) An educational service center or cooperative education district;

(f) Another school district under a cooperative education agreement, compact, or contract;

(g) A chartered nonpublic school with a scholarship paid under section 3317.022 of the Revised Code, if the students qualified for the scholarship under section 3310.03 or 3310.032 of the Revised Code;

(h) An alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code.

As used in this section, "alternative public provider" and "registered private provider" have the same meanings as in section 3310.41 or 3310.51 of the Revised Code, as applicable.

(i) A science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;

(j) A college-preparatory boarding school established under Chapter 3328. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;

(k) A nonchartered nonpublic school if the students have educational savings accounts

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Date 6/30/25

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Mike DeWine, Governor

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established under sections 3310.21 to 3310.26 of the Revised Code.

(3) The department also shall compile a list of the students entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code who are enrolled in a joint vocational school district or under a career-technical education compact, excluding any students so entitled to attend school in the district who are enrolled in another school district through an open enrollment policy as reported under division (A)(2)(d) of this section and then enroll in a joint vocational school district or under a career-technical education compact.

The department shall provide each city, local, and exempted village school district with an opportunity to review the list of students compiled under divisions (A)(2) and (3) of this section to ensure that the students reported accurately reflect the enrollment of students in the district.

(B) To enable the department to obtain the data needed to complete the calculation of payments pursuant to this chapter, each superintendent shall certify from the reports provided by the department under division (A) of this section all of the following:

(1) The total student enrollment in regular learning day classes included in the report under division (A)(1) or (2), including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, of this section for each of the individual grades kindergarten through twelve in schools under the superintendent's supervision;

(2) The unduplicated count of the number of preschool children with disabilities enrolled in the district for whom the district is eligible to receive funding under section 3317.0213 of the Revised Code adjusted for the portion of the year each child is so enrolled, in accordance with the disability categories prescribed in section 3317.013 of the Revised Code;

(3) The number of children entitled to attend school in the district pursuant to section 3313.64 or 3313.65 of the Revised Code who are:

(a) Enrolled in a college under Chapter 3365. of the Revised Code, except when the student is enrolled in the college while also enrolled in a community school pursuant to Chapter 3314. of the Revised Code, a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(b) Participating in a program operated by a county board of developmental disabilities or a state institution.

(4) The total enrollment of pupils in joint vocational schools;

(5) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship

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Date: 6/30/25

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awarded under sections 3310.51 to 3310.64 of the Revised Code;

(6) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for category two disabilities described in division (B) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(7) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(8) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(9) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(10) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code;

(11) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and

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Date: 6/30/25

Mike DeWine

Am. Sub. H. B. No. 96
excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, in category one career-technical education programs or classes, described in division (A)(1) of section 3317.014 of the Revised Code, operated by the school district or by another district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(12) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, in category two career-technical education programs or services, described in division (A)(2) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(13) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, in category three career-technical education programs or services, described in division (A)(3) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(14) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, in category four career-technical education programs or services, described in division (A)(4) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(15) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, in category five career-technical education programs or services, described in division (A)(5) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

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Date 6/30/25

Mike DeWine

RmD (16) The enrollment of pupils reported under division (A)(1) or (2) of this section who are English learners described in division (A) of section 3317.016 of the Revised Code, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section;

(17) The enrollment of pupils reported under division (A)(1) or (2) of this section who are English learners described in division (B) of section 3317.016 of the Revised Code, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section;

(18) The enrollment of pupils reported under division (A)(1) or (2) of this section who are English learners described in division (C) of section 3317.016 of the Revised Code, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of this section;

(19) The average number of children transported during the reporting period by the school district on board-owned or contractor-owned and -operated buses, reported in accordance with rules adopted by the department;

(20)(a) The number of children, other than preschool children with disabilities, the district placed with a county board of developmental disabilities in fiscal year 1998. Division (B)(20)(a) of this section does not apply after fiscal year 2013.

(b) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code;

(c) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for category two disabilities described in division (B) of section 3317.013 of the Revised Code;

(d) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code;

(e) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code;

(f) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code;

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Date: 6/30/25

Mike DeWine

Mike DeWine, Governor

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(g) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code.

(21) The enrollment of students who are economically disadvantaged, as defined by the department, including any student described in divisions (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section. A student shall not be categorically excluded from the number reported under division (B)(21) of this section based on anything other than family income.

(22) The enrollment of students identified as gifted under division (A), (B), (C), or (D) of section 3324.03 of the Revised Code.

(C)(1) The department shall adopt rules necessary for implementing divisions (A), (B), and (D) of this section.

(2) A student enrolled in a community school established under Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code shall be counted in the formula ADM of the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code for the same proportion of the school year that the student is counted in the enrollment of the community school, the science, technology, engineering, and mathematics school, or the college-preparatory boarding school for purposes of section 3317.022 or 3328.24 of the Revised Code. Notwithstanding the enrollment of students reported pursuant to division (A)(2)(a), (i), or (j) of this section, the department may adjust the formula ADM of a school district to account for students entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code who are enrolled in a community school, a science, technology, engineering, and mathematics school, or a college-preparatory boarding school for only a portion of the school year.

(3) No child shall be counted as more than a total of one child in the sum of the enrollment of students of a school district under division (A), divisions (B)(1) to (22), or division (D) of this section, except as follows:

(a)(i) A child with a disability described in section 3317.013 of the Revised Code may be counted both in formula ADM and in category one, two, three, four, five, or six special education ADM and, if applicable, in category one, two, three, four, or five career-technical education ADM. As provided in division (M) of section 3317.02 of the Revised Code, such a child shall be counted in category one, two, three, four, five, or six special education ADM in the same proportion that the child is counted in formula ADM.

(ii) A child with a disability described in section 3317.013 of the Revised Code may be counted both in enrolled ADM and in category one, two, three, four, five, or six special education ADM and, if applicable, in category one, two, three, four, or five career-technical education ADM.

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Date: 6/30/25

Mike DeWine

As provided in division (M) of section 3317.02 of the Revised Code, such a child shall be counted in category one, two, three, four, five, or six special education ADM in the same proportion that the child is counted in enrolled ADM.

(b)(i) A child enrolled in career-technical education programs or classes described in section 3317.014 of the Revised Code may be counted both in formula ADM and category one, two, three, four, or five career-technical education ADM and, if applicable, in category one, two, three, four, five, or six special education ADM. Such a child shall be counted in category one, two, three, four, or five career-technical education ADM in the same proportion as the percentage of time that the child spends in the career-technical education programs or classes.

(ii) A child enrolled in career-technical education programs or classes described in section 3317.014 of the Revised Code may be counted both in enrolled ADM and category one, two, three, four, or five career-technical education ADM and, if applicable, in category one, two, three, four, five, or six special education ADM. Such a child shall be counted in category one, two, three, four, or five career-technical education ADM in the same proportion as the percentage of time that the child spends in the career-technical education programs or classes.

(4) Based on the information reported under this section, the department shall determine the total student count, as defined in section 3301.011 of the Revised Code, for each school district.

(D)(1) The superintendent of each joint vocational school district shall report and certify to the department as of the last day of October, March, and June of each year the enrollment of students receiving services from schools under the superintendent's supervision so that the department can calculate the district's enrolled ADM, formula ADM, total ADM, category one through five career-technical education ADM, category one through three English learner ADM, category one through six special education ADM, and for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership.

The enrollment reported and certified by the superintendent, except as otherwise provided in this division, shall consist of the number of students in grades six through twelve receiving any educational services from the district, except that the following categories of students shall not be included in the determination:

- (a) Students enrolled in adult education classes;
- (b) Adjacent or other district joint vocational students enrolled in the district under an open enrollment policy pursuant to section 3313.98 of the Revised Code;
- (c) Students receiving services in the district pursuant to a compact, cooperative education agreement, or a contract, but who are entitled to attend school in a city, local, or exempted village school district whose territory is not part of the territory of the joint vocational district;
- (d) Students for whom tuition is payable pursuant to sections 3317.081 and 3323.141 of the Revised Code.

(2) To enable the department to obtain the data needed to complete the calculation of payments pursuant to this chapter, each superintendent shall certify from the report provided under

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Date: 6/30/25

Mike DeWine

Mike DeWine, Governor

division (D)(1) of this section the enrollment for each of the following categories of students:

(a) Students enrolled in each individual grade included in the joint vocational district schools, including any student described in division (D)(1)(b) of this section;

(b) Children with disabilities receiving special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(c) Children with disabilities receiving special education services for the category two disabilities described in division (B) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(d) Children with disabilities receiving special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(e) Children with disabilities receiving special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(f) Children with disabilities receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(g) Children with disabilities receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(h) Students receiving category one career-technical education services, described in division (A)(1) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(i) Students receiving category two career-technical education services, described in division (A)(2) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(j) Students receiving category three career-technical education services, described in division (A)(3) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(k) Students receiving category four career-technical education services, described in division (A)(4) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(l) Students receiving category five career-technical education services, described in division (A)(5) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(m) English learners described in division (A) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

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Date: 6/30/25

Mike DeWine

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(n) English learners described in division (B) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(o) English learners described in division (C) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(p) Students who are economically disadvantaged, as defined by the department, including any student described in division (D)(1)(b) of this section. A student shall not be categorically excluded from the number reported under division (D)(2)(p) of this section based on anything other than family income.

The superintendent of each joint vocational school district shall also indicate the city, local, or exempted village school district in which each joint vocational district pupil is entitled to attend school pursuant to section 3313.64 or 3313.65 of the Revised Code.

(E) In each school of each city, local, exempted village, joint vocational, and cooperative education school district there shall be maintained a record of school enrollment, which record shall accurately show, for each day the school is in session, the actual enrollment in regular day classes. For the purpose of determining the enrollment of students, the enrollment figure of any school shall not include any pupils except those pupils described by division (A) or (D) of this section. The record of enrollment for each school shall be maintained in such manner that no pupil shall be counted as enrolled prior to the actual date of entry in the school and also in such manner that where for any cause a pupil permanently withdraws from the school that pupil shall not be counted as enrolled from and after the date of such withdrawal. There shall not be included in the enrollment of any school any of the following:

(1) Any pupil who has graduated from the twelfth grade of a public or nonpublic high school;

(2) Any pupil who is not a resident of the state;

(3) Any pupil who was enrolled in the schools of the district during the previous school year when assessments were administered under section 3301.0711 of the Revised Code but did not take one or more of the assessments required by that section and was not excused pursuant to division (C) (1) or (3) of that section;

(4) Any pupil who has attained the age of twenty-two years, except for veterans of the armed services whose attendance was interrupted before completing the recognized twelve-year course of the public schools by reason of induction or enlistment in the armed forces and who apply for reenrollment in the public school system of their residence not later than four years after termination of war or their honorable discharge;

(5) Any pupil who has a certificate of high school equivalence as defined in section 5107.40 of the Revised Code.

If, however, any veteran described by division (E)(4) of this section elects to enroll in special courses organized for veterans for whom tuition is paid under the provisions of federal laws, or otherwise, that veteran shall not be included in the enrollment of students determined under this

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Date 6/30/25

Mike DeWine

Mike DeWine, Governor

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section.

Notwithstanding division (E)(3) of this section, the enrollment of any school may include a pupil who did not take an assessment required by section 3301.0711 of the Revised Code if the department of education and workforce grants a waiver from the requirement to take the assessment to the specific pupil and a parent is not paying tuition for the pupil pursuant to section 3313.6410 of the Revised Code. The department may grant such a waiver only for good cause in accordance with rules adopted by the department.

The enrolled ADM, formula ADM, total ADM, category one through five career-technical education ADM, category one through three English learner ADM, category one through six special education ADM, transportation ADM, and, for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership of any school district shall be determined in accordance with rules adopted by the department.

(F)(1) If a student attending a community school under Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code is not included in the formula ADM calculated for the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code, the department shall adjust the formula ADM of that school district to include the student in accordance with division (C)(2) of this section.

(2) If a student awarded an educational choice scholarship is not included in the formula ADM of the school district in which the student resides, the department shall adjust the formula ADM of that school district to include the student.

(3) If a student awarded a scholarship under the Jon Peterson special needs scholarship program is not included in the formula ADM of the school district in which the student resides, the department shall adjust the formula ADM of that school district to include the student.

(G)(1)(a) The superintendent of an institution operating a special education program pursuant to section 3323.091 of the Revised Code shall, for the programs under such superintendent's supervision, certify to the department, in the manner prescribed by the director of education and workforce, both of the following:

(i) The unduplicated count of the number of all children with disabilities other than preschool children with disabilities receiving services at the institution for each category of disability described in divisions (A) to (F) of section 3317.013 of the Revised Code adjusted for the portion of the year each child is so enrolled;

(ii) The unduplicated count of the number of all preschool children with disabilities in classes or programs for whom the district is eligible to receive funding under section 3317.0213 of the Revised Code adjusted for the portion of the year each child is so enrolled, reported according to the categories prescribed in section 3317.013 of the Revised Code.

(b) The superintendent of an institution with career-technical education units approved under section 3317.05 of the Revised Code shall, for the units under the superintendent's supervision,

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disapproved.

Date

6/30/25
Mike DeWine

certify to the department the enrollment in those units, in the manner prescribed by the director of education and workforce.

(2) The superintendent of each county board of developmental disabilities that maintains special education classes under section 3317.20 of the Revised Code or provides services to preschool children with disabilities pursuant to an agreement between the county board and the appropriate school district shall do both of the following:

DM (a) Certify to the department, in the manner prescribed by the department, the enrollment in classes under section 3317.20 of the Revised Code for each school district that has placed children in the classes;

(b) Certify to the department, in the manner prescribed by the department, the unduplicated count of the number of all preschool children with disabilities enrolled in classes for which the board is eligible to receive funding under section 3317.0213 of the Revised Code adjusted for the portion of the year each child is so enrolled, reported according to the categories prescribed in section 3317.013 of the Revised Code, and the number of those classes.

(H) Except as provided in division (I) of this section, when any city, local, or exempted village school district provides instruction for a nonresident pupil whose attendance is unauthorized attendance as defined in section 3327.06 of the Revised Code, that pupil's enrollment shall not be included in that district's enrollment figure used in calculating the district's payments under this chapter. The reporting official shall report separately the enrollment of all pupils whose attendance in the district is unauthorized attendance, and the enrollment of each such pupil shall be credited to the school district in which the pupil is entitled to attend school under division (B) of section 3313.64 or section 3313.65 of the Revised Code as determined by the department.

(I) This division shall not apply on or after September 30, 2021.

(1) A city, local, exempted village, or joint vocational school district admitting a scholarship student of a pilot project district pursuant to division (C) of section 3313.976 of the Revised Code may count such student in its enrollment.

(2) In any year for which funds are appropriated for pilot project scholarship programs, a school district implementing a state-sponsored pilot project scholarship program that year pursuant to sections 3313.974 to 3313.979 of the Revised Code may count in its enrollment:

(a) All children residing in the district and utilizing a scholarship to attend kindergarten in any alternative school, as defined in section 3313.974 of the Revised Code;

(b) All children who were enrolled in the district in the preceding year who are utilizing a scholarship to attend an alternative school.

(J) The superintendent of each cooperative education school district shall certify to the director of education and workforce, in a manner prescribed by the department, the applicable enrollments for all students in the cooperative education district, also indicating the city, local, or exempted village district where each pupil is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

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disapproved.

Date

6/30/25

Mike DeWine

(K) If the director of education and workforce determines that a component of the enrollment certified or reported by a district superintendent, or other reporting entity, is not correct, the director of education and workforce may order that the district's enrolled ADM, formula ADM, or both be adjusted in the amount of the error.

Sec. 3317.035. The auditor of state may conduct annual audits of the information certified under section 3317.03 of the Revised Code ~~by a number of school districts determined by the auditor of state and selected at random.~~

Sec. 3317.051. (A) The department of education and workforce shall compute and pay to a school district funds based on units for services to students identified as gifted under Chapter 3324. of the Revised Code as prescribed by this section.

(B) The department shall allocate gifted units for a school district as follows:

(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~:

(a) One gifted coordinator unit shall be allocated for every 3,300 students in a district's enrolled ADM, with a minimum of 0.5 units and a maximum of 8 units allocated for the district.

(b) One kindergarten through eighth grade gifted intervention specialist unit shall be allocated for every 140 gifted students enrolled in grades kindergarten through eight in the district, as certified under division (B)(22) of section 3317.03 of the Revised Code, with a minimum of 0.3 units allocated for the district.

(c) One ninth through twelfth grade gifted intervention specialist unit shall be allocated for every 140 gifted students enrolled in grades nine through twelve in the district, as certified under division (B)(22) of section 3317.03 of the Revised Code, with a minimum of 0.3 units allocated for the district.

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, in the manner prescribed by the general assembly.

(C) The department shall pay an amount to a school district for gifted units as follows:

(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, an amount equal to the following sum:

(\$85,776 X the number of units allocated to a school district under division (B)(1)(a) of this section X the district's state share percentage) + (\$89,378 X the number of units allocated to a school district under division (B)(1)(b) of this section X the district's state share percentage) + (\$80,974 X the number of units allocated to a school district under division (B)(1)(c) of this section X the district's state share percentage)

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(D) A school district may assign gifted unit funding that it receives under division (C) of this section to another school district, an educational service center, a community school, or a STEM school as part of an arrangement to provide services to the district.

Sec. 3317.06. Moneys paid to school districts under division (E)(1) of section 3317.024 of the Revised Code shall be used for the following independent and fully severable purposes:

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Date:

6/30/25

Mike DeWine

payment for a fiscal year shall be calculated using the adjusted full-time equivalent number of students enrolled in the school for that fiscal year as of the date the payment is made, as reported by the school under section 3326.32 of the Revised Code. The department shall make periodic payments to each designated school beginning in January of a fiscal year.

(B) Not later than the thirty-first day of December each fiscal year, the department shall designate a STEM school as an independent STEM school of quality if the school satisfies all of the following criteria:

(1) The STEM school operates autonomously under section 3326.031 of the Revised Code.

(2) The STEM school does not have a STEM school equivalent designation under section 3326.032 of the Revised Code.

(3) The STEM school is not governed by a school district under section 3326.51 of the Revised Code.

(4) The STEM school is not a community school established under Chapter 3314. of the Revised Code.

(5) The STEM school cannot levy taxes or issue tax-secured bonds in accordance with section 3326.49 of the Revised Code.

(6) The STEM school satisfies the requirements prescribed by section 3326.03 of the Revised Code.

(7) The STEM school satisfies the requirements described in the quality model for STEM and STEAM schools established by the department of education and workforce in accordance with Chapter 3326. of the Revised Code.

(C) A school designated as an independent STEM school of quality under this section shall maintain that designation for the two fiscal years following the fiscal year in which the school was initially designated as an independent STEM school of quality.

(D) A school designated as an independent STEM school of quality may renew its designation each year that it satisfies the criteria under division (B) of this section. The school shall maintain that designation for the two fiscal years following each fiscal year in which the criteria under division (B) of this section are satisfied. This division applies to schools designated as an independent STEM school of quality based on the report cards issued in accordance with sections 3302.03 and 3326.17 of the Revised Code for the 2017-2018 and 2018-2019 school years.

Sec. 3317.31. The department of education and workforce shall pay each community school established under Chapter 3314. of the Revised Code and each STEM school established under Chapter 3326. of the Revised Code an amount equal to twenty-five dollars in each fiscal year for each full-time equivalent student in an internet- or computer-based community school and one thousand dollars in each fiscal year for each full-time equivalent student in all other community or STEM schools for assistance with the cost associated with facilities.

Sec. 3318.01. As used in sections 3318.01 to 3318.20 of the Revised Code:

(A) "Ohio facilities construction commission" means the commission created pursuant to

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JUNE 30, 2025

Date _____

Mike DeWine

Mike DeWine, Governor

section 123.20 of the Revised Code.

(B) "Classroom facilities" means rooms in which pupils regularly assemble in public school buildings to receive instruction and education and such facilities and building improvements for the operation and use of such rooms as may be needed in order to provide a complete educational program, and may include space within which a child care facility or a community resource center is housed. "Classroom facilities" includes any space necessary for the operation of a vocational education program for secondary students in any school district that operates such a program.

(C) "Project" means a project to construct or acquire classroom facilities, or to reconstruct or make additions to existing classroom facilities, to be used for housing the applicable school district and its functions.

(D) "School district" means a local, exempted village, or city school district as such districts are defined in Chapter 3311. of the Revised Code, acting as an agency of state government, performing essential governmental functions of state government pursuant to sections 3318.01 to 3318.20 of the Revised Code.

For purposes of assistance provided under sections 3318.40 to 3318.45 of the Revised Code, the term "school district" as used in this section and in divisions (A), (C), and (D) of section 3318.03 and in sections 3318.031, 3318.042, 3318.07, 3318.08, 3318.083, 3318.084, 3318.085, 3318.086, 3318.10, 3318.11, 3318.12, 3318.13, 3318.14, 3318.15, 3318.16, and 3318.20 of the Revised Code means a joint vocational school district established pursuant to section 3311.18 of the Revised Code.

(E) "School district board" means the board of education of a school district.

(F) "Net bonded indebtedness" means the difference between the sum of the par value of all outstanding and unpaid bonds and notes which a school district board is obligated to pay and any amounts the school district is obligated to pay under lease-purchase agreements entered into under section 3313.375 of the Revised Code, and the amount held in the sinking fund and other indebtedness retirement funds for their redemption. Notes issued for school buses in accordance with section 3327.08 of the Revised Code, notes issued in anticipation of the collection of current revenues, and bonds issued to pay final judgments shall not be considered in calculating the net bonded indebtedness.

"Net bonded indebtedness" does not include indebtedness arising from the acquisition of land to provide a site for classroom facilities constructed, acquired, or added to pursuant to sections 3318.01 to 3318.20 of the Revised Code or the par value of bonds that have been authorized by the electors and the proceeds of which will be used by the district to provide any part of its portion of the basic project cost.

(G) "Board of elections" means the board of elections of the county containing the most populous portion of the school district.

(H) "County auditor" means the auditor of the county in which the greatest value of taxable property of such school district is located.

(I) "Tax duplicates" means the general tax lists and duplicates prescribed by sections 319.28

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disapproved

JUNE 30/
Date: 2025

Mike DeWine

Mike DeWine, Governor

and 319.29 of the Revised Code.

(J) "Required level of indebtedness" means:

(1) In the case of school districts in the first percentile, five per cent of the district's valuation for the year preceding the year in which the controlling board approved the project under section 3318.04 of the Revised Code.

(2) In the case of school districts ranked in a subsequent percentile, five per cent of the district's valuation for the year preceding the year in which the controlling board approved the project under section 3318.04 of the Revised Code, plus [two one-hundredths of one per cent multiplied by (the percentile in which the district ranks for the fiscal year preceding the fiscal year in which the controlling board approved the district's project minus one)].

(K) "Required percentage of the basic project costs" means one per cent of the basic project costs times the percentile in which the school district ranks for the fiscal year preceding the fiscal year in which the controlling board approved the district's project.

(L) "Basic project cost" means a cost amount determined in accordance with rules adopted under section 111.15 of the Revised Code by the Ohio facilities construction commission. The basic project cost calculation shall take into consideration the square footage and cost per square foot necessary for the grade levels to be housed in the classroom facilities, the variation across the state in construction and related costs, the cost of the installation of site utilities and site preparation, the cost of demolition of all or part of any existing classroom facilities that are abandoned under the project, the cost of insuring the project until it is completed, any contingency reserve amount prescribed by the commission under section 3318.086 of the Revised Code, and the professional planning, administration, and design fees that a school district may have to pay to undertake a classroom facilities project.

For a joint vocational school district that receives assistance under sections 3318.40 to 3318.45 of the Revised Code, the basic project cost calculation for a project under those sections shall also take into account the types of laboratory spaces and program square footages needed for the vocational education programs for high school students offered by the school district.

For a district that opts to divide its entire classroom facilities needs into segments, as authorized by section 3318.034 of the Revised Code, "basic project cost" means the cost determined in accordance with this division of a segment.

(M)(1) Except for a joint vocational school district that receives assistance under sections 3318.40 to 3318.45 of the Revised Code, a "school district's portion of the basic project cost" means the amount determined under section 3318.032 of the Revised Code.

(2) For a joint vocational school district that receives assistance under sections 3318.40 to 3318.45 of the Revised Code, a "school district's portion of the basic project cost" means the amount determined under division (C) of section 3318.42 of the Revised Code.

(N) "Child care facility" means space within a classroom facility in which the needs of infants, toddlers, preschool children, and school children are provided for by persons other than the

disapproved.

JUNE 30, 2025

Date

Mike DeWine

Mike DeWine, Governor

parent or guardian of such children for any part of the day, including persons not employed by the school district operating such classroom facility.

(O) "Community resource center" means space within a classroom facility in which comprehensive services that support the needs of families and children are provided by community-based social service providers.

(P) "Valuation" means the total value of all property in the school district as listed and assessed for taxation on the tax duplicates.

(Q) "Percentile" means the percentile in which the school district is ranked pursuant to section 3318.011 of the Revised Code.

(R) "Installation of site utilities" means the installation of a site domestic water system, site fire protection system, site gas distribution system, site sanitary system, site storm drainage system, and site telephone and data system.

(S) "Site preparation" means the earthwork necessary for preparation of the building foundation system, the paved pedestrian and vehicular circulation system, playgrounds on the project site, and lawn and planting on the project site.

(T) "The county auditor's appraised-market value" and "effective rate" have the same meanings as in section 5705.01 of the Revised Code.

Sec. 3318.032. (A) Except as otherwise provided in divisions ~~(C)~~(B), (D), and ~~(D)~~(E) of this section, the portion of the basic project cost supplied by the school district shall be the greater of:

~~(1) The required percentage of the basic project costs;~~

~~(2)(a)(B) For all districts except a district that opts to divide its entire classroom facilities needs into segments to be completed separately as authorized by section 3318.034 of the Revised Code, an amount necessary to raise the school district's net bonded indebtedness the portion of the basic project cost supplied by the school district for the first segment shall be calculated using the required percentage of the basic project costs, as of the date the controlling board approved the project, to within five thousand dollars of the required level of indebtedness; Any future segment's portion of the basic project cost shall use the same respective share as the first segment.~~

~~(b) For a district that opts to divide its entire classroom facilities needs into segments to be completed separately as authorized by section 3318.034 of the Revised Code, an amount necessary to raise the school district's net bonded indebtedness, as of the date the controlling board approved the project, to within five thousand dollars of the following:-~~

~~The required level of indebtedness X (the basic
project cost of the segment as approved
by the controlling board / the estimated basic
project cost of the district's entire classroom facilities
needs as determined jointly by the staff of the Ohio~~

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JUNE 30
Date 2025

Mike DeWine

Mike DeWine, Governor

maintenance fund, the auditor of state shall notify the district board of education in writing of that fact and require the board to deposit into the fund, within ninety days after the date of the notice, the amount by which the fund is deficient for the year. If the district board fails to demonstrate to the auditor of state's satisfaction that the board has made the deposit required in the notice, the auditor of state shall notify the department of education and workforce. At that time, the department shall withhold an amount equal to ten per cent of the district's funds calculated for the current fiscal year under Chapter 3317. of the Revised Code until the ~~auditor of state~~ district notifies the department that the ~~auditor of state is satisfied that the~~ board has made the required transfer.

(C) Money transferred to the maintenance fund shall be used for the maintenance or, upon approval of the Ohio facilities construction commission, upgrade of the facilities acquired under the district's project.

(D) The transfers to the maintenance fund under this section does not affect a district's obligation to establish and maintain a capital and maintenance fund under section 3315.18 of the Revised Code.

(E) Any decision by the commission to approve or not approve the transfer of money under this section is final and not subject to appeal. The commission shall not be responsible for errors or miscalculations made in deciding whether to approve a petition to make transfers under this section.

(F) If the district board determines that it no longer can continue making the transfers agreed to under this section, the board may rescind the agreement only so long as the electors of the district have approved, in accordance with section 3318.063 of the Revised Code, the levy of a tax for the maintenance of the classroom facilities acquired under the district's project and that levy continues to be collected as approved by the electors. That levy shall be for a number of years that is equal to the difference between twenty-three years and the number of years that the district made transfers under this section and shall be at the rate of not less than one-half mill for each dollar of the district's valuation. The district board shall continue to make the transfers agreed to under this section until that levy has been approved by the electors.

Sec. 3318.06. (A) After receipt of the conditional approval of the Ohio facilities construction commission, the school district board by a majority of all of its members shall, if it desires to proceed with the project, declare all of the following by resolution: *RMD*

(1) That by issuing bonds in an amount equal to the school district's portion of the basic project cost the district is unable to provide adequate classroom facilities without assistance from the state;

(2) Unless the school district board has resolved to transfer money in accordance with section 3318.051 of the Revised Code or to apply the proceeds of a property tax or the proceeds of an income tax, or a combination of proceeds from such taxes, as authorized under section 3318.052 of the Revised Code, that to qualify for such state assistance it is necessary to do either of the following:

(a) Levy a tax outside the ten-mill limitation the proceeds of which shall be used to pay the

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JUNE 30, 2025
Date _____

Mike DeWine

Mike DeWine, Governor

cost of maintaining and upgrading the classroom facilities included in the project. The use of the proceeds for upgrades is subject to the approval by the commission under division (E) of section 3318.05 of the Revised Code. *RMD*

(b) Earmark for maintenance of classroom facilities from the proceeds of an existing permanent improvement tax levied under section 5705.21 of the Revised Code, if such tax can be used for maintenance, an amount equivalent to the amount of the additional tax otherwise required under this section and sections 3318.05 and 3318.08 of the Revised Code.

(3) That the question of any tax levy specified in a resolution described in division (A)(2)(a) of this section, if required, shall be submitted to the electors of the school district at the next general or primary election, if there be a general or primary election not less than ninety and not more than one hundred ten days after the day of the adoption of such resolution or, if not, at a special election to be held at a time specified in the resolution which shall be not less than ninety days after the day of the adoption of the resolution and which shall be in accordance with the requirements of section 3501.01 of the Revised Code.

Such resolution shall also state that the question of issuing bonds of the board shall be combined in a single proposal with the question of such tax levy. More than one election under this section may be held in any one calendar year. Such resolution shall specify both of the following:

(a) That the rate which it is necessary to levy shall be at the rate of not less than one-half mill for each one dollar of taxable value, and that such tax shall be levied for a period of twenty-three years;

(b) That the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project or upgrading those facilities if approved by the commission.

(B) A copy of a resolution adopted under division (A) of this section shall after its passage and not less than ninety days prior to the date set therein for the election be certified to the county board of elections.

The resolution of the school district board, in addition to meeting other applicable requirements of section 133.18 of the Revised Code, shall state that the amount of bonds to be issued will be an amount equal to the school district's portion of the basic project cost, and state the maximum maturity of the bonds which may be any number of years not exceeding the term calculated under section 133.20 of the Revised Code as determined by the board. In estimating the amount of bonds to be issued, the board shall take into consideration the amount of moneys then in the bond retirement fund and the amount of moneys to be collected for and disbursed from the bond retirement fund during the remainder of the year in which the resolution of necessity is adopted.

If the bonds are to be issued in more than one series, the resolution may state, in addition to the information required to be stated under division (B)(3) of section 133.18 of the Revised Code, the number of series, which shall not exceed five, the principal amount of each series, and the approximate date each series will be issued, and may provide that no series, or any portion thereof, may be issued before such date. Upon such a resolution being certified to the county auditor as

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JUN 30 2012 - 25
Date
Mike DeWine

required by division (C) of section 133.18 of the Revised Code, the county auditor, in calculating, advising, and confirming the estimated average annual property tax levy under that division, shall also calculate, advise, and confirm by certification the estimated average property tax levy for each series of bonds to be issued.

Notice of the election shall include the fact that the tax levy shall be at the rate of not less than one-half mill for each one dollar of taxable value for a period of twenty-three years, and that the proceeds of the tax shall be used to pay the cost of maintaining or upgrading the classroom facilities included in the project. The notice shall also express the rate in dollars for each one hundred thousand dollars of the county auditor's ~~appraised-market~~ value and the county auditor's estimate of the amount the tax levy is estimated to collect for each tax year it is levied, as certified pursuant to section 5705.03 of the Revised Code.

If the bonds are to be issued in more than one series, the board of education, when filing copies of the resolution with the board of elections as required by division (D) of section 133.18 of the Revised Code, may direct the board of elections to include in the notice of election the principal amount and approximate date of each series, the maximum number of years over which the principal of each series may be paid, the estimated additional average property tax levy for each series, and the first calendar year in which the tax is expected to be due for each series, in addition to the information required to be stated in the notice under divisions (E)(3)(a), (b), (c), (e), and (f) of section 133.18 of the Revised Code.

(C)(1) Except as otherwise provided in division (C)(2) of this section, the form of the ballot to be used at such election shall be:

"A majority affirmative vote is necessary for passage.

Shall bonds be issued by the _____ (here insert name of school district) school district to pay the local share of school construction under the State of Ohio Classroom Facilities Assistance Program in the principal amount of \$ _____ (here insert principal amount of the bond issue), to be repaid annually over a maximum period of _____ (here insert the maximum number of years over which the principal of the bonds may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value to pay the annual debt charges on the bonds and to pay debt charges on any notes issued in anticipation of the bonds?"

and, unless the additional levy
of taxes is not required pursuant
to division (C) of section
3318.05 of the Revised Code,

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JUNE 30, 2025
Date: _____

Mike DeWine

Mike DeWine, Governor

"Shall an additional levy of taxes be made for a period of twenty-three years to benefit the _____ (here insert name of school district) school district, the proceeds of which shall be used to pay the cost of maintaining (or upgrading if approved by the commission) the classroom facilities included in the project, that the county auditor estimates will collect \$ _____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value?"

	FOR THE BOND ISSUE AND TAX LEVY
	AGAINST THE BOND ISSUE AND TAX LEVY

"

(2) If authority is sought to issue bonds in more than one series and the board of education so elects, the form of the ballot shall be as prescribed in section 3318.062 of the Revised Code. If the board of education elects the form of the ballot prescribed in that section, it shall so state in the resolution adopted under this section.

(D) If it is necessary for the school district to acquire a site for the classroom facilities to be acquired pursuant to sections 3318.01 to 3318.20 of the Revised Code, the district board may propose either to issue bonds of the board or to levy a tax to pay for the acquisition of such site, and may combine the question of doing so with the questions specified in division (B) of this section. Bonds issued under this division for the purpose of acquiring a site are a general obligation of the school district and are Chapter 133. securities.

The form of that portion of the ballot to include the question of either issuing bonds or levying a tax for site acquisition purposes shall be one of the following:

(1) "Shall bonds be issued by the _____ (here insert name of the school district) school district to pay costs of acquiring a site for classroom facilities under the State of Ohio Classroom Facilities Assistance Program in the principal amount of \$ _____ (here insert principal amount of the bond issue), to be repaid annually over a maximum period of _____ (here insert maximum number of years over which the principal of the bonds may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised market~~ value to pay the annual debt charges on the bonds and to pay debt charges on any notes issued in anticipation of the bonds?"

(2) "Shall an additional levy of taxes outside the ten-mill limitation be made for the benefit of the _____ (here insert name of the school district) school district for the purpose of acquiring a site for classroom facilities in the sum of \$ _____ (here insert annual amount the levy is to produce) estimated by the county auditor to average _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value?"

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JUNE 30, 2025
Date:

Mike DeWine

value, for a period of _____ (here insert number of years the millage is to be imposed) years?"

Where it is necessary to combine the question of issuing bonds of the school district and levying a tax as described in division (B) of this section with the question of issuing bonds of the school district for acquisition of a site, the question specified in that division to be voted on shall be "For the Bond Issues and the Tax Levy" and "Against the Bond Issues and the Tax Levy."

Where it is necessary to combine the question of issuing bonds of the school district and levying a tax as described in division (B) of this section with the question of levying a tax for the acquisition of a site, the question specified in that division to be voted on shall be "For the Bond Issue and the Tax Levies" and "Against the Bond Issue and the Tax Levies."

Where the school district board chooses to combine the question in division (B) of this section with any of the additional questions described in divisions (A) to (D) of section 3318.056 of the Revised Code, the question specified in division (B) of this section to be voted on shall be "For the Bond Issues and the Tax Levies" and "Against the Bond Issues and the Tax Levies."

If a majority of those voting upon a proposition hereunder which includes the question of issuing bonds vote in favor thereof, and if the agreement provided for by section 3318.08 of the Revised Code has been entered into, the school district board may proceed under Chapter 133. of the Revised Code, with the issuance of bonds or bond anticipation notes in accordance with the terms of the agreement.

Sec. 3318.061. This section applies only to school districts eligible to receive additional assistance under division (B)(2) of section 3318.04 of the Revised Code.

The board of education of a school district in which a tax described by division (B) of section 3318.05 and levied under section 3318.06 of the Revised Code is in effect, may adopt a resolution by vote of a majority of its members to extend the term of that tax beyond the expiration of that tax as originally approved under that section. The school district board may include in the resolution a proposal to extend the term of that tax at the rate of not less than one-half mill for each dollar of taxable value for a period of twenty-three years from the year in which the school district board and the Ohio facilities construction commission enter into an agreement under division (B)(2) of section 3318.04 of the Revised Code or in the following year, as specified in the resolution. Such a resolution may be adopted at any time before such an agreement is entered into and before the tax levied pursuant to section 3318.06 of the Revised Code expires. If the resolution is combined with a resolution to issue bonds to pay the school district's portion of the basic project cost, it shall conform with the requirements of divisions (A)(1), (2), and (3) of section 3318.06 of the Revised Code, except that the resolution also shall state that the tax levy proposed in the resolution is an extension of an existing tax levied under that section. A resolution proposing an extension adopted under this section does not take effect until it is approved by a majority of electors voting in favor of the resolution at a general, primary, or special election as provided in this section.

A tax levy extended under this section is subject to the same terms and limitations to which the original tax levied under section 3318.06 of the Revised Code is subject under that section.

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JUNE 30, 2025
Date: _____

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except the term of the extension shall be as specified in this section.

The school district board and the county auditor shall proceed ^{RMD} in the same manner as required for a tax levy under section 5705.03 of the Revised Code. The board shall certify a copy of the resolution adopted under this section and the auditor's certification to the proper county board of elections not later than ninety days before the date set in the resolution as the date of the election at which the question will be submitted to electors. The notice of the election shall conform with the requirements of division (A)(3) of section 3318.06 of the Revised Code, except that the notice also shall state that the maintenance tax levy is an extension of an existing tax levy, the levy's estimated annual collections, and the levy's effective rate, expressed in dollars for each one hundred thousand dollars of the county auditor's ~~appraised~~ market value.

The form of the ballot shall be as follows:

"Shall the existing tax levied to pay the cost of maintaining (or upgrading if approved by the Ohio facilities construction commission) classroom facilities constructed with the proceeds of the previously issued bonds, that the county auditor estimates will collect \$_____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$_____ (effective rate) for each \$100,000 of the county auditor's ~~appraised~~ market value, be extended until _____ (here insert the year that is twenty-three years after the year in which the district and commission will enter into an agreement under division (B)(2) of section 3318.04 of the Revised Code or the following year)?

	FOR EXTENDING THE EXISTING TAX LEVY
	AGAINST EXTENDING THE EXISTING TAX LEVY

Section 3318.07 of the Revised Code applies to ballot questions under this section.

Sec. 3318.062. (A) If authority is sought to issue bonds in more than one series to pay the school district's portion of the basic project cost under sections 3318.01 to 3318.20 of the Revised Code, the form of the ballot shall be:

"Shall bonds be issued by the _____ (here insert name of school district) school district to pay the local share of school construction under the State of Ohio Classroom Facilities Assistance Program in the total principal amount of \$_____ (total principal amount of the bond issue), to be issued in _____ (number of series) series, each series to be repaid annually over not more than _____ (maximum number of years over which the principal of each series may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation to pay the annual debt charges on the bonds and on any notes issued in anticipation of the bonds, at a rate estimated by the county auditor to average over the repayment period of each series as follows: _____ (insert the following for each series: "the _____ series, in a principal amount of \$_____, that the county auditor estimates will require _____ mills for each \$1 of taxable value, which amounts to \$_____ for each \$100,000 of the county auditor's ~~appraised~~ market value,

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JUN 30, 2025
Date _____

Mike DeWine

commencing in _____ and first payable in _____)"

and, unless the additional levy
of taxes is not required pursuant
to division (C) of section

3318.05 of the Revised Code,

"Shall an additional levy of taxes be made for a period of twenty-three years to benefit the _____ (here insert name of school district) school district, the proceeds of which shall be used to pay the cost of maintaining (or upgrading if approved by the Ohio facilities construction commission) the classroom facilities included in the project, that the county auditor estimates will collect \$ _____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised~~ market value?"

	For the bond issue	
	Against the bond issue	"

(B) If it is necessary for the school district to acquire a site for the classroom facilities to be acquired pursuant to sections 3318.01 to 3318.20 of the Revised Code, the district board may propose either to issue bonds of the board or to levy a tax to pay for the acquisition of such site, and may combine the question of doing so with the questions specified in division (A) of this section. Bonds issued under this division for the purpose of acquiring a site are a general obligation of the school district and are Chapter 133. securities.

The form of that portion of the ballot to include the question of either issuing bonds or levying a tax for site acquisition purposes shall be one of the forms prescribed in division (D) of section 3318.06 of the Revised Code.

(C) Where the school district board chooses to combine the question in division (A) of this section with any of the additional questions described in divisions (A) to (D) of section 3318.056 of the Revised Code, the question specified in division (A) of this section to be voted on shall be "For the Bond Issues and the Tax Levies" and "Against the Bond Issues and the Tax Levies."

(D) If a majority of those voting upon a proposition prescribed in this section which includes the question of issuing bonds vote in favor of that issuance, and if the agreement prescribed in section 3318.08 of the Revised Code has been entered into, the school district board may proceed under Chapter 133. of the Revised Code with the issuance of bonds or bond anticipation notes in accordance with the terms of the agreement.

Sec. 3318.063. If the board of education of a city, exempted village, or local school district that has entered into an agreement under section 3318.051 of the Revised Code to make transfers of

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Date

JUNE 30
2025

Mike DeWine

Mike DeWine, Governor

money in lieu of levying the tax for maintenance or upgrade of the classroom facilities included in the district's project determines that it no longer can continue making the transfers so agreed to and desires to rescind that agreement, the board shall adopt the resolution to submit the question of the tax levy prescribed in this section.

The resolution shall declare that the question of a tax levy specified in division (F) of section 3318.051 of the Revised Code shall be submitted to the electors of the school district at the next general or primary election, if there be a general or primary election not less than seventy-five and not more than ninety-five days after the day of the adoption of such resolution or, if not, at a special election to be held at a time specified in the resolution which shall be not less than seventy-five days after the day of the adoption of the resolution and which shall be in accordance with the requirements of section 3501.01 of the Revised Code. Such resolution shall specify both of the following:

(A) That the rate which it is necessary to levy shall be at the rate of not less than one-half mill for each one dollar of taxable value, and that such tax shall be levied for the number of years required by division (F) of section 3318.051 of the Revised Code;

(B) That the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project.

A copy of such resolution shall after its passage and not less than seventy-five days prior to the date set therein for the election be certified to the county board of elections.

Notice of the election shall include the levy's estimated annual collections, the fact that the tax levy shall be at the rate of not less than one-half mill for each one dollar of taxable value for the number of years required by division (F) of section 3318.051 of the Revised Code, and that the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project. The notice shall also express the rate in dollars for each one hundred thousand dollars of the county auditor's ~~appraised~~ market value.

The form of the ballot to be used at such election shall be:

"Shall a levy of taxes be made for a period of _____ (here insert the number of years, which shall not be less than the number required by division (F) of section 3318.051 of the Revised Code) years to benefit the _____ (here insert name of school district) school district, the proceeds of which shall be used to pay the cost of maintaining (or upgrading if approved by the Ohio facilities construction commission) the classroom facilities included in the project, that the county auditor estimates will collect \$_____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$_____ for each \$100,000 of the county auditor's ~~appraised~~ market value?"

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

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for expenditure pursuant to sections 3318.01 to 3318.20 or sections 3318.40 to 3318.45 of the Revised Code.

(D) Pursuant to appropriations of the general assembly, any moneys transferred to the commission under division (C)(2) or (3) of this section from a project construction fund for a project under sections 3318.40 to 3318.45 of the Revised Code may be used for future expenditures for projects under sections 3318.40 to 3318.45 of the Revised Code, ~~notwithstanding the two per cent annual limit specified in accordance with~~ division (B) of section 3318.40 of the Revised Code.

Sec. 3318.361. A school district board opting to qualify for state assistance pursuant to section 3318.36 of the Revised Code through levying the tax specified in division (D)(2)(a) or (D)(4) of that section shall declare by resolution that the question of a tax levy specified in division (D)(2)(a) or (4), as applicable, of section 3318.36 of the Revised Code shall be submitted to the electors of the school district at the next general or primary election, if there be a general or primary election not less than ninety and not more than one hundred ten days after the day of the adoption of such resolution or, if not, at a special election to be held at a time specified in the resolution which shall be not less than ninety days after the day of the adoption of the resolution and which shall be in accordance with the requirements of section 3501.01 of the Revised Code. Such resolution shall specify both of the following:

(A) That the rate which it is necessary to levy shall be at the rate of not less than one-half mill for each one dollar of taxable value, and that such tax shall be levied for a period of twenty-three years;

(B) That the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project or upgrading those facilities if approved by the Ohio facilities construction commission.

A copy of such resolution shall after its passage and not less than ninety days prior to the date set therein for the election be certified to the county board of elections.

Notice of the election shall include the levy's estimated annual collections, the fact that the tax levy shall be at the rate of not less than one-half mill for each one dollar of taxable value for a period of twenty-three years, and that the proceeds of the tax shall be used to pay the cost of maintaining or upgrading the classroom facilities included in the project. The notice shall also express the rate in dollars for each one hundred thousand dollars of the county auditor's appraised market value.

The form of the ballot to be used at such election shall be:

"Shall a levy of taxes be made for a period of twenty-three years to benefit the _____ (here insert name of school district) school district, the proceeds of which shall be used to pay the cost of maintaining (or upgrading if approved by the Ohio facilities construction commission) the classroom facilities included in the project, that the county auditor estimates will collect \$ _____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$ _____ for each _____

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JUN 30 2025
Date: _____

Mike DeWine

\$100,000 of the county auditor's ~~appraised~~ market value?

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

RMD

Sec. 3318.40. (A)(1) Sections 3318.40 to 3318.45 of the Revised Code apply only to joint vocational school districts.

(2) As used in sections 3318.40 to 3318.45 of the Revised Code:

(a) "Ohio facilities construction commission," "classroom facilities," "project," and "basic project cost" have the same meanings as in section 3318.01 of the Revised Code.

(b) "Acquisition of classroom facilities" means constructing, reconstructing, repairing, or making additions to classroom facilities.

(B) There is hereby established the vocational school facilities assistance program. Under the program, the Ohio facilities construction commission shall provide assistance to joint vocational school districts for the acquisition of classroom facilities suitable to the vocational education programs of the districts in accordance with sections 3318.40 to 3318.45 of the Revised Code. ~~For purposes of the program, beginning July 1, 2003, the~~ The commission ~~annually~~ may set aside ~~up to two per cent~~ a portion of the aggregate amount appropriated to it for classroom facilities assistance projects in the public school building fund, established under section 3318.15 of the Revised Code, and the school building program assistance fund, established under section 3318.25 of the Revised Code, to provide assistance to at least two joint vocational school districts per biennium. The amount set aside for this purpose shall be determined by the commission.

(C) The commission shall not provide assistance for any distinct part of a project under sections 3318.40 to 3318.45 of the Revised Code that when completed will be used exclusively for an adult education program or exclusively for operation of a driver training school for instruction leading to the issuance of a commercial driver's license under Chapter 4506. of the Revised Code, except for life safety items and basic building components necessary for complete and continuous construction or renovation of a classroom facility as determined by the commission.

(D) The commission shall not provide assistance under sections 3318.40 to 3318.45 of the Revised Code to acquire classroom facilities for vocational educational instruction at a location under the control of a school district that is a member of a joint vocational school district. Any assistance to acquire classroom facilities for vocational educational instruction at such location shall be provided to the school district that is a member of the joint vocational school district through other provisions of this chapter when that member school district is eligible for assistance under those provisions.

(E) By September 1, 2003, the commission shall assess the classroom facilities needs of at least five joint vocational school districts, according to the order of priority prescribed in division (B) of section 3318.42 of the Revised Code, and based on the results of those assessments shall

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JUNE 30, 2003

Date: _____

Mike DeWine

determine the extent to which amendments to the specifications adopted under section 3318.311 of the Revised Code are warranted. The commission, thereafter, may amend the specifications as provided in that section.

(F) After the commission has conducted the assessments prescribed in division (E) of this section, the commission shall establish, by rule adopted in accordance with section 111.15 of the Revised Code, guidelines for the commission to use in deciding whether to waive compliance with the design specifications adopted under section 3318.311 of the Revised Code when determining the number of facilities and the basic project cost of projects as prescribed in division (A)(1)(a) of section 3318.41 of the Revised Code. The guidelines shall address the following situations:

(1) Under what circumstances, if any, particular classroom facilities are adequate to meet the needs of the school district even though the facilities do not comply with the specifications adopted under section 3318.311 of the Revised Code;

(2) Under what circumstances, if any, particular classroom facilities will be renovated or repaired rather than replaced by construction of new facilities.

Sec. 3318.45. (A) Unless division (B) of section 3318.44 of the Revised Code applies, if a joint vocational school district board of education proposes to issue securities to generate all or part of the school district's portion of the basic project cost of the school district's project under sections 3318.40 to 3318.45 of the Revised Code, the school district board shall adopt a resolution in accordance with Chapter 133. and section 3311.20 of the Revised Code. Unless the school district board seeks authority to issue securities in more than one series, the school district board shall adopt the form of the ballot prescribed in section 133.18 of the Revised Code.

(B) If authority is sought to issue bonds in more than one series, the form of the ballot shall be:

"Shall bonds be issued by the _____ (here insert name of joint vocational school district) joint vocational school district to pay the local share of school construction under the State of Ohio Joint Vocational School Facilities Assistance Program in the total principal amount of \$ _____ (total principal amount of the bond issue), to be issued in _____ (number of series) series, each series to be repaid annually over not more than _____ (maximum number of years over which the principal of each series may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation to pay the annual debt charges on the bonds and on any notes issued in anticipation of the bonds, at a rate estimated by the county auditor to average over the repayment period of each series as follows: _____ [insert the following for each series: "the _____ series, in a principal amount of \$ _____, that the county auditor estimates will require _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised~~ market value, commencing in _____ and first payable in _____"]?"

For the bond issue

RMD

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JUNE 30, 2025
Date:

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Against the bond issue	" <i>RMD</i>
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(C) If it is necessary for the school district to acquire a site for the classroom facilities to be acquired pursuant to sections 3318.40 to 3318.45 of the Revised Code, the district board may propose either to issue bonds of the board or to levy a tax to pay for the acquisition of such site and may combine the question of doing so with the question specified by reference in division (A) of this section or the question specified in division (B) of this section. Bonds issued under this division for the purpose of acquiring a site are a general obligation of the school district and are Chapter 133 securities.

The form of that portion of the ballot to include the question of either issuing bonds or levying a tax for site acquisition purposes shall be one of the following:

(1) "Shall bonds be issued by the _____ (here insert name of the joint vocational school district) joint vocational school district to pay costs of acquiring a site for classroom facilities under the State of Ohio Joint Vocational School Facilities Assistance Program in the principal amount of \$ _____ (here insert principal amount of the bond issue), to be repaid annually over a maximum period of _____ (here insert maximum number of years over which the principal of the bonds may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value, to pay the annual debt charges on the bonds and to pay debt charges on any notes issued in anticipation of the bonds?"

(2) "Shall an additional levy of taxes outside the ten-mill limitation be made for the benefit of the _____ (here insert name of the joint vocational school district) joint vocational school district for the purpose of acquiring a site for classroom facilities in the sum of \$ _____ (here insert annual amount the levy is to produce) estimated by the county auditor to collect \$ _____ annually and to average _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value, for a period of _____ (here insert number of years the millage is to be imposed) years?"

Where it is necessary to combine the question of issuing bonds of the joint vocational school district as described in division (A) of this section with the question of issuing bonds of the school district for acquisition of a site, the question specified in that division to be voted on shall be "For the bond issues" and "Against the bond issues."

Where it is necessary to combine the question of issuing bonds of the joint vocational school district as described in division (A) of this section with the question of levying a tax for the acquisition of a site, the question specified in that division to be voted on shall be "For the bond issue and the tax levy" and "Against the bond issue and the tax levy."

(D) Where the school district board chooses to combine a question specified in this section with any of the additional questions described in division (C) of section 3318.44 of the Revised

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JUNE 30, 2025

Date _____

Mike DeWine

Mike DeWine, Governor

Code, the question to be voted on shall be "For the bond issues and the tax levies" and "Against the bond issues and the tax levies."

(E) If a majority of those voting upon a proposition prescribed in this section which includes the question of issuing bonds vote in favor of that issuance and if the agreement prescribed in section 3318.08 of the Revised Code has been entered into, the school district board may proceed under Chapter 133. of the Revised Code with the issuance of bonds or bond anticipation notes in accordance with the terms of the agreement.

Sec. 3318.48. (A) When all of the following have occurred, a project undertaken by a school district pursuant to this chapter shall be considered complete and the Ohio facilities construction commission shall issue a certificate of completion to the district board of education:

(1) All facilities to be constructed under the project, as specified in the project agreement entered into under section 3318.08 of the Revised Code, have been completed and the board has received a permanent certificate of occupancy for each of those facilities.

(2) The commission has issued certificates of contract completion on all prime construction contracts entered into by the board under section 3318.10 of the Revised Code.

(3) The commission has completed a final accounting of the district's project construction fund and has determined that all payments from the fund were made in compliance with all policies of the commission.

(4) Any litigation concerning the project has been finally resolved with no chance of appeal.

(5) All construction management services typically provided by the commission to school districts have been delivered and the commission has canceled any remaining encumbrance of funds for those services.

(B) The commission may issue a certificate of completion to a district board prior to all of the conditions described in division (A) of this section being satisfied, if the commission determines that the circumstances preventing the conditions from being satisfied are so minor in nature that the project should be considered complete. When issuing a certificate of completion under this division, the commission may specify any of the following:

(1) Any construction or work that has yet to be completed and the manner in which the board shall oversee its completion, which may include procedures for reporting progress to the commission and for accounting of expenditures;

(2) Terms and conditions for the resolution of any pending litigation;

(3) Any remaining responsibilities of the construction manager regarding the project.

(C) The commission may issue a certificate of completion to a district board that does not voluntarily participate in the process of closing out the district's project, if the construction manager for the project verifies that all facilities to be constructed under the project, as specified in the project agreement entered into under section 3318.08 of the Revised Code, have been completed and the commission determines that those facilities have been occupied for at least one year. In that case, all funds due to the commission under division (C) of section 3318.12 of the Revised Code shall be

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JUNE 30, 2025
Date

Mike DeWine

providing valuable research opportunities to faculty and post-graduate students.

(B) The chancellor shall do all of the following:

(1) Award competitive research grants to faculty and post-graduate students whose research aligns with the biennial research agenda established under division (A) of this section. Grants shall be awarded in a tiered structure based on project scope and complexity. A grant award shall not exceed ten thousand dollars. Fifty per cent of funding shall be disbursed upon grant approval, with the remaining balance released upon successful completion of the research and submission of the final report.

(2) Establish a clear rubric to evaluate proposed research projects that contains a peer-reviewed process, involving both academic experts and relevant practitioners;

(3) Manage the grant process and disseminate research findings through the department's web site, policy briefs, annual presentations to the standing committees of each house of the general assembly that consider higher education legislation, and community forums.

Sec. 3333.96. (A) The strategic square footage reduction fund is created in the state treasury. The fund shall consist of money credited or transferred to it and grants, gifts, and contributions made directly to it. In addition to any such money, gift, or contribution, funds may be transferred from the Ohio tuition trust reserve fund to the strategic square footage reduction fund, in accordance with section 3334.11 of the Revised Code.

(B) The strategic square footage reduction fund shall be used to make revolving loans to state institutions of higher education, as defined in section 3345.011 of the Revised Code, that enable the voluntary reduction of physical square footage.

(C) The chancellor of higher education shall administer and award, in consultation with the Ohio facilities construction commission, the revolving loans described in division (B) of this section. The chancellor, in consultation with the commission, shall establish all of the following:

(1) Procedures and forms by which state institutions of higher education may apply for a loan;

(2) A competitive process for ranking applicants and awarding the loans, with priority consideration given to state institutions of higher education that have experienced a decrease in their general student populations, as determined by the chancellor;

(3) Procedures and timelines for distributing loans and collecting payments for the strategic square footage reduction fund.

(D) Each state institution of higher education shall include in its application all of the following:

(1) The extent to which the square footage may have value if sold or reallocated to serve other purposes, which may include kindergarten through twelve, career-technical, or adult educational purposes, community interests, or business and industry partnerships;

(2) The relative age and condition of the facilities to be deconstructed;

(3) Historical enrollment patterns as well as future enrollment projections;

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Date 6/30/25

Mike DeWine

divisions (A)(1) to (3) of this section, the proceeds of the levy or issue may be used solely within the county or counties in which the tax is levied ~~and~~. If the levy is for the purpose described in division (A)(4) of this section, the resolution shall declare that the proceeds of the levy shall be used for costs associated with operations in the county in which the tax is levied. The resolution shall also state, regardless of the purposes for which the tax is levied, the term of the tax, which may be for any term authorized for a tax levied under section 3354.12 of the Revised Code. The question of such a tax may not be submitted at more than two special elections held in any one calendar year. Levies for a continuing period of time adopted under this section may be reduced in accordance with section 5705.261 of the Revised Code.

The election shall be held, canvassed, and certified in the manner provided for the submission of a tax levy under section 3354.12 of the Revised Code. A tax levied under this section may be renewed in the same manner as a tax levied under section 3354.12 of the Revised Code ~~or replaced in accordance with section 5705.192 of the Revised Code.~~ RMD

If electors approve the levy, the board of trustees may anticipate a fraction of the proceeds of the levy and may, from time to time, issue anticipation notes in the same manner and subject to the same limitations provided under section 3354.12 of the Revised Code.

(B) In accordance with Chapter 133. of the Revised Code, the board of trustees of a state community college district may adopt and certify a resolution to the board of elections of one or more of the counties comprising the district directing the board of elections to place on the ballot at any election authorized under section 133.18 of the Revised Code both of the following questions:

(1) The question of issuing bonds for paying all or part of the cost of the following:

- (a) The purchase of sites in that county or those counties;
- (b) The erection, furnishings, and equipment of buildings in that county or those counties;
- (c) The acquisition or construction of any property in that county or those counties which the board of trustees is authorized to acquire or construct and which has an estimated life or usefulness of five years or more as certified by the treasurer of the board of trustees.

(2) The question of levying a tax in excess of the ten-mill limitation on all the taxable property in that county or those counties to pay the interest on and retire any bonds approved by the electors under division (B)(1) of this section.

The election shall be held, canvassed, and certified in the manner provided for the submission of a bond issuance and tax levy under section 3354.11 of the Revised Code. Bonds approved by electors under division (B)(1) of this section may be issued for one or more improvements which the district is authorized to acquire or construct, notwithstanding the fact that such improvements may not be for more than one purpose under Chapter 133. of the Revised Code.

Notes may be issued in anticipation of any bonds that may be approved by the electors under division (B)(1) of this section in the manner provided under section 133.22 of the Revised Code.

For the purpose of applying Chapter 133. of the Revised Code to division (B) of this section, the treasurer of the state community college district shall be considered to be the district's fiscal

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JUNE 30, 2025
Date
Mike DeWine

PMD
Sec. 3375.47. A public library created under Chapter 3375. of the Revised Code shall place material related to sexual orientation or gender identity or expression in a portion of the public library that is not primarily open to the view of persons under the age of eighteen.

Sec. 3375.92. The fiscal officer of the board of trustees of the regional library system is the treasurer of the organization's funds. Before entering upon their duties, the fiscal officer and the deputy fiscal officer shall execute a bond in an amount and with surety to be approved by the board, and conditioned for the faithful performance of the official duties required of them.

All moneys received by the fiscal officer shall be immediately placed by the fiscal officer in a depository designated by the board. The fiscal officer shall keep an account of the funds credited to the board.

The fiscal officer shall render a monthly statement to the board showing the revenues and receipts from whatever sources derived, the disbursements and the purposes for such disbursements, and the assets and liabilities of the board. At the end of each fiscal year the fiscal officer shall submit to the board, to the state library board and, if requested, to any granting authority, a complete financial statement showing the receipts and expenditures in detail for the entire fiscal year. Such financial records shall be open to public inspection at all reasonable times.

At the expiration of the term of the fiscal officer or before the board of trustees approves the surety of any fiscal officer, the board shall require the fiscal officer to produce all moneys, bonds, or other securities in the fiscal officer's hands, which shall then be counted by the board or a committee of the board, ~~or by a representative of the auditor of state~~. A certificate setting forth the exact amount of such money, bonds, or other securities and signed by the persons making such count shall be entered upon the records of the board and shall be prima-facie evidence that the amount stated in such certificate is actually in the treasury at that date.

PMD
 Sec. 3379.03. The Ohio arts council shall:

(A) Conduct a survey of the cultural and artistic resources and needs of the state and maintain a continuing inventory of such resources;

(B) Develop a plan for better and fuller use and enjoyment of the state's cultural and artistic resources by all the people of the state;

(C) Assess the role of the arts in the growth and development of the state;

(D) Report at least biennially to the governor and the general assembly on the state of the arts. Such report may include recommendations based on the council's surveys.

(E) ~~Administer the per cent for arts program pursuant to section 3379.10 of the Revised Code;~~

(F) Establish guidelines for the administration of the council's duties that pertain to the position of Ohio poet laureate pursuant to section 3379.12 of the Revised Code and for the qualifications of the Ohio poet laureate appointed under that section.

Sec. 3379.12. (A) The position of Ohio poet laureate is hereby created. The Ohio poet laureate shall be appointed by the governor from a list of not less than three candidates

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Date

6/30/25

Mike DeWine

recommended by the Ohio arts council based on qualifications developed by the arts council under division ~~(F)~~(E) of section 3379.03 of the Revised Code. The arts council shall submit its list of candidates to the governor not less than ninety days prior to the beginning of the Ohio poet laureate's term of office.

RMD (B) The term of office for the Ohio poet laureate shall be for two years. The initial term shall begin on January 1, 2016.

(C) In the event of the death, resignation, or any other vacancy or inability to perform the duties of Ohio poet laureate during an individual's unexpired term of office, not later than sixty days after the vacancy occurs, the Ohio arts council shall recommend a candidate to the governor to serve as poet laureate for the remainder of that unexpired term of office.

(D) An individual may be reappointed to subsequent terms of office, at the discretion of the governor.

Sec. 3381.03. Any county, or any two or more counties, municipal corporations, or townships, or any combination of these may create a regional arts and cultural district by the adoption of a resolution or ordinance by the board of county commissioners of each county, the legislative authority of each municipal corporation, and the board of township trustees of each township that desires to create or to join in the creation of the district. The resolution or ordinance shall state all of the following:

RMD (A) The purposes for the creation of the district;

(B) The counties, municipal corporations, or townships that are to be included in the district;

(C) The official name by which the district shall be known;

(D) The location of the principal office of the district or the manner in which the location shall be selected;

(E) Subject to section 3381.05 of the Revised Code, the number, term, and compensation, which shall not exceed the sum of fifty dollars for each board and committee meeting attended by a member, of the members of the board of trustees of the district;

(F) Subject to section 3381.05 of the Revised Code, the manner in which members of the board of trustees of the district shall be appointed; the method of filling vacancies; and the period, if any, for which a trustee continues in office after expiration of the trustee's term pending the appointment of the trustee's successor;

(G) The manner of apportioning expenses of the district among the participating counties, municipal corporations, and townships.

The resolution or ordinance may also provide that the authority of the districts to make grants under section 3381.20 of the Revised Code may be totally or partially delegated to one or more area arts councils, as defined in section 757.03 of the Revised Code, located within the district.

The district provided for in the resolution or ordinance shall be created upon the adoption of the resolution or ordinance by the board of county commissioners of each county, the legislative authority of each municipal corporation, and the board of township trustees of each township.

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JUNE 30, 2025

Date

Mike DeWine

enumerated in the resolution or ordinance. The resolution or ordinance may be amended to include additional counties, municipal corporations, or townships or for any other purpose by the adoption of an amendment by the board of county commissioners of each county, the legislative authority of each municipal corporation, and the board of township trustees of each township that has created or joined or proposes to join the district.

After each county, municipal corporation, and township has adopted a resolution or ordinance approving inclusion of additional counties, municipal corporations, or townships in the district, a copy of the resolution or ordinance shall be filed with the clerk of the board of the county commissioners of each county, the clerk of the legislative authority of each municipal corporation, and the fiscal officer of the board of trustees of each township proposed to be included in the district. The inclusion is effective when all such filing is completed unless the district to which territory is to be added has authority to levy an ad valorem tax on property within its territory, in which event the inclusion shall become effective upon voter approval of the joinder and the tax.

If a tax on property is to be levied, the board and the county auditor shall proceed in the same manner as required for a tax levy under section 5705.03 of the Revised Code, except that the levy's annual collections shall be estimated assuming that the additional territory has been added to the district. The board of trustees shall promptly certify the proposal and the auditor's certification to the board or boards of elections for the purpose of having the proposal placed on the ballot at the next general or primary election that occurs not less than sixty days after the date of the meeting of the board of trustees, or at a special election held on a date specified in the certification that is not less than sixty days after the date of the meeting of the board. If territory of more than one county, municipal corporation, or township is to be added to the regional arts and cultural district, the electors of the territories of the counties, municipal corporations, or townships which are to be added shall vote as a district, and the outcome of the election shall be determined by the vote cast in the entire district. Upon certification of a proposal to the board or boards of elections pursuant to this section, the board or boards of elections shall make the necessary arrangements for the submission of the questions to the electors of the territory to be added to the district, and the election shall be held, canvassed, and certified in the manner provided for the submission of tax levies under section 5705.19 of the Revised Code, except that the question appearing on the ballot shall read:

"Shall the territory within the _____ (name or names of political subdivisions to be joined) be added to _____ (name) regional arts and cultural district? And shall a property tax that the county auditor estimates will collect \$ _____ annually at a rate not exceeding _____ mills for each \$1 of taxable value, which amounts to \$ _____ (effective rate) for each \$100,000 of the county auditor's ~~appraised~~ market value, be levied for purposes of such district?"

If the question is approved by a majority of the electors voting on the question, the joinder is effective immediately, and the district may extend the levy of the tax against all the taxable property within the territory that has been added. If the question is approved at a general election or at a

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JUN 30

Date: 2025

Mike DeWine

Mike DeWine, Governor

special election occurring prior to a general election but after the fifteenth day of July in any calendar year, the district may amend its budget and resolution adopted pursuant to section 5705.34 of the Revised Code, and the levy shall be placed on the current tax list and duplicate and collected as other taxes are collected from all taxable property within the territory of the district, including the territory added as a result of the election.

The territory of a district shall be coextensive with the territory of the counties, municipal corporations, and townships included within the district, provided that the same territory may not be included in more than one regional arts and cultural district, and provided, that if a district includes only a portion of an entire county, a district may be created in the remaining portion of the same county by resolution of the board of county commissioners acting alone or in conjunction with municipal corporations and townships as provided in this section.

As used in this section, "the county auditor's ~~appraised~~ market value" and "effective rate" have the same meanings as in section 5705.01 of the Revised Code.

Sec. 3381.11. The board of trustees of a regional arts and cultural district or any officer or employee designated by such board may make any contract for the purchase of supplies or material or for labor for any work, under the supervision of the board, the cost of which shall not exceed ten thousand dollars. When an expenditure, other than for the acquisition of real estate, the discharge of noncontractual claims, personal services, or for the product or services of public utilities, exceeds ten thousand dollars, such expenditure shall be made only after a notice calling for bids has been published once a week for two consecutive weeks in one newspaper of general circulation within the territory of the district or as provided in section 7.16 of the Revised Code. The board may then let said contract to the lowest and best bidder, who shall give a good and approved bond with ample security conditioned on the carrying out of the contract. Such contract shall be in writing and shall be accompanied by or shall refer to plans and specifications for the work to be done, approved by the board. The plans and specifications shall at all times be made and considered part of the contract. The contract shall be approved by the board and signed on behalf of the district and by the contractor. No sale of any real or personal property or a lease thereof having a term thereof in excess of five years shall be made except with the highest and best bidder after publication of notice for bids in the manner above provided.

Competitive bidding under this section is not required when:

(A) The board, by a two-thirds affirmative vote of its members, determines that a real and present emergency exists and such determination and the reasons therefor are entered in the proceedings of the board, when:

- (1) The estimated cost is less than fifteen thousand dollars; or
- (2) There is actual physical damage to structures or equipment.

(B) Such purchase consists of supplies or a replacement or supplemental part or parts for a product or equipment owned or leased by the district and the only source of supply for such supplies, part, or parts is limited to a single supplier;

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Date: _____

Mike DeWine

Mike DeWine, Governor

(J) "Nonpartisan candidate" means any candidate whose name is required, pursuant to section 3505.04 of the Revised Code, to be listed on the nonpartisan ballot, including all candidates for judge of a municipal court, county court, or court of common pleas, for member of any board of education, for municipal or township offices in which primary elections are not held for nominating candidates by political parties, and for offices of municipal corporations having charters that provide for separate ballots for elections for these offices. *RMD*

(K) "Party candidate" means any candidate who claims to be a member of a political party and who has been certified to appear on the office-type ballot at a general or special election as the nominee of a political party because the candidate has won the primary election of the candidate's party for the public office the candidate seeks, has been nominated under section 3517.012, or is selected by party committee in accordance with section 3513.31 of the Revised Code.

(L) "Officer of a political party" includes, but is not limited to, any member, elected or appointed, of a controlling committee, whether representing the territory of the state, a district therein, a county, township, a city, a ward, a precinct, or other territory, of a major or minor political party.

(M) "Question or issue" means any question or issue certified in accordance with the Revised Code for placement on an official ballot at a general or special election to be held in this state.

(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.

(O) "Voter" means an elector who votes at an election.

(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.

(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.

(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.

(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.

(T) "Political subdivision" means a county, township, city, village, or school district.

(U) "Election officer" or "election official" means any of the following:

(1) Secretary of state;

(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;

(3) Director of a board of elections;

(4) Deputy director of a board of elections;

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Date 6/30/25

Mike DeWine

Mike DeWine, Governor

lawful duties of the secretary of state or of any board of elections, the secretary of state may, on the secretary of state's motion, be made a party.

The secretary of state may apply to any court that is hearing a case in which the secretary of state is a party, for a change of venue as a substantive right, and the change of venue shall be allowed, and the case removed to the court of common pleas of an adjoining county named in the application or, if there are cases pending in more than one jurisdiction that involve the same or similar issues, the court of common pleas of Franklin county.

Public high schools and vocational schools, public libraries, and the office of a county treasurer shall implement voter registration programs as directed by the secretary of state pursuant to this section.

Sec. 3501.055. (A) There is in the office of the secretary of state the election integrity unit.

(B) Under the direction of the secretary of state, the election integrity unit shall do all of the following:

(1) Investigate alleged violations of Title XXXV of the Revised Code on the unit's own initiative, upon receiving a complaint under this section, or upon the filing of a complaint with the secretary of state under section 3517.16 of the Revised Code;

(2) Allow the public to submit allegations of violations of Title XXXV of the Revised Code to the unit;

(3) Submit a report to the governor and the general assembly not later than the fifteenth day of January of each year. The report shall include all of the following with respect to the previous calendar year:

(a) The number of allegations the unit received from members of the public;

(b) The number of allegations the unit investigated on its own initiative;

(c) The number of allegations the unit referred to another agency for further investigation or prosecution;

(d) All of the following concerning each allegation:

(i) The general nature of the allegation;

(ii) The county in which the violation is alleged to have occurred;

(iii) Whether the allegation has been referred to another agency for further investigation or prosecution, and if so, to which agency;

(iv) The current status of the investigation or any resulting criminal or civil proceeding.

(C) In performing its duties, the election integrity unit may administer oaths, issue subpoenas, summon witnesses, compel the production of books, papers, records, and other evidence, and hold hearings.

(D) Within one year after receiving a referral for further investigation or prosecution from the election integrity unit, the prosecuting attorney shall either prosecute the violation or provide to the election integrity unit a written statement explaining the reason for declining to prosecute the referral or requesting any additional evidence needed to meet the prima facie standard established

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Date: 6/30/25

Mike DeWine

Mike DeWine, Governor

Revised

under section 3599.42 of the Revised Code. If the prosecuting attorney declines to prosecute the violation within one year after receiving the referral, the election integrity unit may refer the violation to the attorney general for further investigation or prosecution. If the prosecuting attorney or the attorney general requests additional evidence, the election integrity unit shall provide such evidence, if available, within ninety days after receiving the request. Within one hundred eighty days after receiving the additional evidence, the prosecuting attorney either shall prosecute the violation or provide a written statement to the election integrity unit explaining a reason for declining to prosecute. If the prosecuting attorney fails to provide this statement or prosecute within one hundred eighty days after receiving the additional evidence, the election integrity unit may refer the violation to the attorney general for further investigation or prosecution.

Sec. 3501.12. (A) The annual compensation of members of the board of elections shall be determined on the basis of the population of the county according to the next preceding federal census, and shall be paid monthly out of the appropriations made to the board and upon vouchers or payrolls certified by the chairperson, or a member of the board designated by it, and countersigned by the director or in the director's absence by the deputy director. Upon presentation of any such voucher or payroll, the county auditor shall issue a warrant upon the county treasurer for the amount thereof as in the case of vouchers or payrolls for county offices and the treasurer shall pay such warrant.

(B) In calendar year 2018, the amount of annual compensation of each member of the board of elections shall be the greater of the following:

(1) The sum of the following:

(a) One hundred two dollars and forty-one cents for each full one thousand of the first one hundred thousand population;

(b) Forty-eight dollars and seventy-nine cents for each full one thousand of the second one hundred thousand population;

(c) Twenty-six dollars and fifty cents for each full one thousand of the third one hundred thousand population;

(d) Eight dollars and thirteen cents for each full one thousand above three hundred thousand population.

(2) Six thousand dollars.

(C) The annual compensation of each member of the board shall be computed after increasing the dollar amounts specified in divisions (B)(1) and (2) of this section as follows:

(1) In calendar year 2019 and in each calendar year thereafter through calendar year 2028~~2025, the annual compensation of each member of the board shall be computed after increasing the dollar amounts specified in divisions (B)(1) and (2) of this section by one and three-quarters per cent;~~

(2) In calendar year 2026 and in each calendar year thereafter through calendar year 2029, by five per cent.

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Date: *6/30/25*

Mike DeWine

Mike DeWine, Governor

the precinct election official under division (B) or (C) of this section.

(4) Division (F)(1) of this section does not apply to either of the following:

- (a) Election officials;
- (b) Public school teachers.

(5) Nothing in division (F)(1) of this section supersedes or negates any provision of a collective bargaining agreement in effect under Chapter 4117. of the Revised Code.

(6) If a board of county commissioners, legislative authority of a political subdivision, or head of a state agency fails to set forth any terms and conditions under division (F)(1) of this section, an employee of an entity or court described in division (F)(1)(a) of this section, of an entity of a political subdivision described in division (F)(1)(b) of this section, or of a state agency as defined in section 1.60 of the Revised Code may use personal leave, vacation leave, or compensatory time, or take unpaid leave, to serve as a precinct election official on the day of an election.

(G) The board of elections may withhold the compensation of any precinct election official for failure to obey the instructions of the board or to comply with the law relating to the duties of a precinct election official. Any payment a precinct election official is entitled to receive under section 3501.36 of the Revised Code is in addition to the compensation the official is entitled to receive under this section.

Sec. 3505.03. (A) On the office type ballot shall be printed the names of all candidates for election to offices, except the office of judge of a municipal court, county court, or court of common pleas, who were nominated at the most recent primary election as candidates of a political party or who were nominated in accordance with section 3513.02 of the Revised Code, and the names of all candidates for election to offices who were nominated by nominating petitions, except candidates for the office of judge of a municipal court, county court, or court of common pleas, ~~for member of the state board of education,~~ for member of a board of education, *RND* for municipal offices, and for township offices.

(B) The face of the ballot below the stub shall be substantially in the following form:

"OFFICIAL OFFICE TYPE BALLOT

(1) To vote for a candidate record your vote in the manner provided next to the name of such candidate.

(2) If you tear, soil, deface, or erroneously mark this ballot, return it to the precinct election officers or, if you cannot return it, notify the precinct election officers, and obtain another ballot."

(C) The order in which the offices shall be listed on the ballot shall be prescribed by, and certified to each board of elections by, the secretary of state; provided that for state, district, and county offices the order from top to bottom shall be as follows: governor and lieutenant governor, attorney general, auditor of state, secretary of state, treasurer of state, chief justice of the supreme court, justice of the supreme court, United States senator, representative to congress, state senator, state representative, judge of a court of appeals, member of a board of education, county commissioner, county auditor, prosecuting attorney, clerk of the court of common pleas, sheriff, *RND*

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Date: 6/30/25

Mike DeWine

county recorder, county treasurer, county engineer, and coroner. The offices of governor and lieutenant governor shall be printed on the ballot in a manner that requires a voter to cast one vote jointly for the candidates who have been nominated by the same political party or petition.

(D) Within the rectangular space within which the title of each judicial office listed in division (C) of this section is printed on the ballot and immediately below the title shall be printed the date of the commencement of the term of the office, if it is a full term, as follows: "Full term commencing _____ (Date) _____," or the date of the end of the term of the office, if it is an unexpired term, as follows: "Unexpired term ending _____ (Date) _____"

(E)(1) The names of all candidates for an office shall be arranged in a group under the title of that office, and, except for absentee ballots or when the number of candidates for a particular office is the same as the number of candidates to be elected for that office, shall be rotated from one precinct to another. On absentee ballots, the names of all candidates for an office shall be arranged in a group under the title of that office and shall be so alternated that each name shall appear, insofar as may be reasonably possible, substantially an equal number of times at the beginning, at the end, and in each intermediate place, if any, of the group in which such name belongs, unless the number of candidates for a particular office is the same as the number of candidates to be elected for that office.

RMD (2) Within the rectangular space within which the title of each office for member of a board of education is printed on the ballot shall be printed "For Member of Board of Education," and the number to be elected, directions to the voter as to voting for one, two, or more, and, if the office to be voted for is member of a board of education of a city school district, words shall be printed in said space on the ballot to indicate whether candidates are to be elected from subdistricts or at large. *RMD*

(3) The method of printing the ballots to meet the rotation requirement of this section shall be as follows: the least common multiple of the number of names in each of the several groups of candidates shall be used, and the number of changes made in the printer's forms in printing the ballots shall correspond with that multiple. The board of elections shall number all precincts in regular serial sequence. In the first precinct, the names of the candidates in each group shall be listed in alphabetical order. In each succeeding precinct, the name in each group that is listed first in the preceding precinct shall be listed last, and the name of each candidate shall be moved up one place. In each precinct using paper ballots, the printed ballots shall then be assembled in tablets.

(F) Under the name of each candidate nominated at a primary election, nominated by petition under section 3517.012 of the Revised Code, or certified by a party committee to fill a vacancy under section 3513.31 of the Revised Code shall be printed, in less prominent type face than that in which the candidate's name is printed, the name of the political party by which the candidate was nominated or certified. Under the name of each candidate appearing on the ballot who filed a nominating petition and requested a ballot designation as a nonparty candidate under section 3513.257 of the Revised Code shall be printed, in less prominent type face than that in which the candidate's name is printed, the designation of "nonparty candidate." Under the name of each

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Date: *6/30/25*

Mike DeWine

Mike DeWine, Governor

candidate appearing on the ballot who filed a nominating petition and requested a ballot designation as an other-party candidate under section 3513.257 of the Revised Code shall be printed, in less prominent type face than that in which the candidate's name is printed, the designation of "other-party candidate." No designation shall appear under the name of a candidate appearing on the ballot who filed a nominating petition and requested that no ballot designation appear under the candidate's name under section 3513.257 of the Revised Code, or who filed a nominating petition and failed to request a ballot designation either as a nonparty candidate or as an other-party candidate under that section.

(G) Except as provided in this section, no words, designations, or emblems descriptive of a candidate or the candidate's political affiliation, or indicative of the method by which the candidate was nominated or certified, shall be printed under or after a candidate's name that is printed on the ballot.

Sec. 3505.04. On the nonpartisan ballot shall be printed the names of all nonpartisan candidates for election to the office of judge of a municipal court, county court, or court of common pleas, ~~the office of member of the state board of education, the~~ office of member of a board of education, RMD municipal or township offices for municipal corporations and townships in which primary elections are not held for nomination of candidates by political parties, and municipal offices of municipal corporations having charters which provide for separate ballots for elections for such municipal offices.

Such ballots shall have printed across the top, and below the stubs, "Official Nonpartisan Ballot."

The order in which the offices are listed on the ballot shall be prescribed by, and certified to each board of elections by, the secretary of state; provided that ~~the office of member of the state board of education county judicial offices~~ shall be listed first on the ballot, ~~then county judicial offices,~~ followed by municipal and township offices, and by offices of member of a board of education, RMD in the order stated.

Within the rectangular space within which the title of each judicial office is printed on the ballot and immediately below such title shall be printed the date of the commencement of the term of the office, if a full term, as follows: "Full term commencing _____ (Date) _____," or the date of the end of the term of the office, if an unexpired term, as follows: "Unexpired term ending _____ (Date) _____"

The secretary of state shall prescribe the information and directions to the voter to be printed on the ballot within the rectangular space in which the title of office of member of the state board of education appears.

Within the rectangular space within which the title of each office for member of a board of education is printed on the ballot shall be printed "For Member of Board of Education," and the number to be elected, directions to the voter as to voting for one, two, or more, and, if the office to be voted for is member of a board of education of a city school district, words shall be printed in RMD

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Date 6/30/25

Mike DeWine

Mike DeWine, Governor

said space on the ballot to indicate whether candidates are to be elected from subdistricts or at large.

The names of all nonpartisan candidates for an office shall be arranged in a group under the title of that office, and shall be rotated and printed on the ballot as provided in section 3505.03 of the Revised Code.

No name or designation of any political party nor any words, designations, or emblems descriptive of a candidate or the candidate's political affiliation, or indicative of the method by which such candidate was nominated or certified, shall be printed under or after any nonpartisan candidate's name which is printed on the ballot.

Sec. 3505.06. (A) On the questions and issues ballot shall be printed all questions and issues to be submitted at any one election together with the percentage of affirmative votes necessary for passage as required by law. Such ballot shall have printed across the top thereof, and below the stubs, "Official Questions and Issues Ballot."

(B)(1) Questions and issues shall be grouped together on the ballot from top to bottom as provided in division (B)(1) of this section, except as otherwise provided in division (B)(2) of this section. State questions and issues shall always appear as the top group of questions and issues. In calendar year 1997, the following questions and issues shall be grouped together on the ballot, in the following order from top to bottom, after the state questions and issues:

- (a) County questions and issues;
- (b) Municipal questions and issues;
- (c) Township questions and issues;
- (d) School or other district questions and issues.

In each succeeding calendar year after 1997, each group of questions and issues described in division (B)(1)(a) to (d) of this section shall be moved down one place on the ballot except that the group that was last on the ballot during the immediately preceding calendar year shall appear at the top of the ballot after the state questions and issues. The rotation shall be performed only once each calendar year, beginning with the first election held during the calendar year. The rotation of groups of questions and issues shall be performed during each calendar year as required by division (B)(1) of this section, even if no questions and issues from any one or more such groups appear on the ballot at any particular election held during that calendar year.

(2) Questions and issues shall be grouped together on the ballot, from top to bottom, in the following order when it is not practicable to group them together as required by division (B)(1) of this section because of the type of voting machines used by the board of elections: state questions and issues, county questions and issues, municipal questions and issues, township questions and issues, and school or other district questions and issues. The particular order in which each of a group of state questions or issues is placed on the ballot shall be determined by, and certified to each board of elections by, the secretary of state.

(3) Failure of the board of elections to rotate questions and issues as required by division (B)(1) of this section does not affect the validity of the election at which the failure occurred, and is not

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Date: _____

Mike DeWine

grounds for contesting an election under section 3515.08 of the Revised Code. *JMP*

(C) The particular order in which each of a group of county, municipal, township, or school district questions or issues is placed on the ballot shall be determined by the board providing the ballots.

(D) The printed matter pertaining to each question or issue on the ballot shall be enclosed at the top and bottom thereof by a heavy horizontal line across the width of the ballot. Immediately below such top line shall be printed a brief title descriptive of the question or issue below it, such as "Proposed Constitutional Amendment," "Proposed Bond Issue," "Proposed Annexation of Territory," "Proposed Increase in Tax Rate," or such other brief title as will be descriptive of the question or issue to which it pertains, together with a brief statement of the percentage of affirmative votes necessary for passage, such as "A sixty-five per cent affirmative vote is necessary for passage," "A majority vote is necessary for passage," or such other brief statement as will be descriptive of the percentage of affirmative votes required.

(E) The questions and issues ballot need not contain the full text of the proposal to be voted upon. A condensed text that will properly describe the question, issue, or an amendment proposed by other than the general assembly shall be used as prepared and certified by the secretary of state for state-wide questions or issues or by the board for local questions or issues. If other than a full text is used, the full text of the proposed question, issue, or amendment together with the percentage of affirmative votes necessary for passage as required by law shall be posted in each polling place in some spot that is easily accessible to the voters.

(F)(1) Except as otherwise provided in division (F)(2) of this section, each question and issue appearing on the questions and issues ballot may be consecutively numbered. The question or issue determined to appear at the top of the ballot may be designated on the face thereof by the Arabic numeral "1" and all questions and issues placed below on the ballot shall be consecutively numbered. Such numeral shall be placed below the heavy top horizontal line enclosing such question or issue and to the left of the brief title thereof.

(2) Beginning with the general election to be held on November 5, 2024, a state question or issue determined to appear at the top of the ballot shall be designated on the face thereof by the Arabic numeral "1" and all state questions and issues placed below on the ballot shall be consecutively numbered. For elections occurring after the general election held on November 5, 2024, a state question or issue determined to appear at the top of the ballot shall be designated on the face thereof by the Arabic numeral that is consecutive to the Arabic numeral of the last state question or issue that appeared on the ballot at the immediately preceding election at which a state question or issue appeared on the ballot and all state questions or issues placed below on the ballot shall be consecutively numbered. Such numeral shall be placed below the heavy top horizontal line enclosing such question or issue and to the left of the brief title thereof. Once a state question or issue appears on the ballot designated by the Arabic numeral "500," the state question or issue appearing at the top of the ballot at the immediately following election at which a state question or issue

The above question and initial text was disapproved.

JUNE 30, 2025
Date: _____

Mike DeWine

issue appears on the ballot shall be designated by the Arabic numeral "1." *AMB*

(G) No portion of a ballot question proposing to levy a property tax in excess of the ten-mill limitation under any section of the Revised Code, including the renewal ~~or replacement~~ of such a levy, may be printed in boldface type or in a font size that is different from the font size of other text in the ballot question. The prohibitions in division (G) of this section do not apply to printed matter either described in division (D) of this section related to such a ballot question or located in the area of the ballot in which votes are indicated for or against that question.

Sec. 3505.33. When the board of elections has completed the canvass of the election returns from the precincts in its county, in which electors were entitled to vote at any general or special election, it shall determine and declare the results of the elections determined by the electors of such county or of a district or subdivision within such county. If more than the number of candidates to be elected to an office received the largest and an equal number of votes, such tie shall be resolved by lot by the chairperson of the board in the presence of a majority of the members of the board. Such declaration shall be in writing and shall be signed by at least a majority of the members of the board. It shall bear the date of the day upon which it is made, and a copy thereof shall be posted by the board in a conspicuous place in its office. The board shall keep such copy posted for a period of at least five days.

Thereupon the board shall promptly certify abstracts of the results of such elections within its county, in such forms as the secretary of state prescribes. Such forms shall be designated and shall contain abstracts as follows:

Form No. 1. An abstract of the votes cast for the office of president and vice-president of the United States.

Form No. 2. An abstract of the votes cast for the office of governor and lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, chief justice of the supreme court of Ohio, judge of the supreme court of Ohio, member of the senate of the congress of the United States, member at large of the house of representatives of the congress of the United States, district member of the house of representatives of the congress of the United States, and an abstract of the votes cast upon each question or issue submitted at such election to electors throughout the entire state.

Form No. 3. An abstract of the votes cast for the office of member of the senate of the general assembly, and member of the house of representatives of the general assembly.

Form No. 4. A report of the votes cast for ~~the office of member of the state board of education~~, judge of the court of appeals, judge of the court of common pleas, judge of the probate court, judge of the county court, county commissioner, county auditor, prosecuting attorney, clerk of the court of common pleas, sheriff, county recorder, county treasurer, county engineer, and coroner.

Form No. 5. A report of the votes cast upon all questions and issues other than such questions and issues which were submitted to electors throughout the entire state.

Form No. 6. A report of the votes cast for municipal offices, judge of the municipal court,

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JUNE 30, 2025
Date: _____

Mike DeWine

Mike DeWine, Governor

of party controlling committees shall have their names printed on the official primary ballot by filing a declaration of candidacy and paying the fees specified for the office under divisions (A) and (B) of section 3513.10 of the Revised Code, except that the joint candidates for party nomination to the offices of governor and lieutenant governor shall, for the two of them, file one declaration of candidacy. The joint candidates also shall pay the fees specified for the joint candidates under divisions (A) and (B) of section 3513.10 of the Revised Code.

The secretary of state shall not accept for filing the declaration of candidacy of a candidate for party nomination to the office of governor unless the declaration of candidacy also shows a joint candidate for the same party's nomination to the office of lieutenant governor, shall not accept for filing the declaration of candidacy of a candidate for party nomination to the office of lieutenant governor unless the declaration of candidacy also shows a joint candidate for the same party's nomination to the office of governor, and shall not accept for filing a declaration of candidacy that shows a candidate for party nomination to the office of governor or lieutenant governor who, for the same election, has already filed a declaration of candidacy or a declaration of intent to be a write-in candidate, or has become a candidate by the filling of a vacancy under section 3513.30 of the Revised Code for any other state office or any federal or county office.

No person who seeks party nomination for an office or position at a primary election by declaration of candidacy or by declaration of intent to be a write-in candidate and no person who is a first choice for president of candidates seeking election as delegates and alternates to the national conventions of the different major political parties who are chosen by direct vote of the electors as provided in this chapter shall be permitted to become a candidate by nominating petition, including a nominating petition filed under section 3517.012 of the Revised Code, by declaration of intent to be a write-in candidate, or by filling a vacancy under section 3513.31 of the Revised Code at the following general election for any office other than the ~~office of member of the state board of education, office of member of a city, local, or exempted village board of education, office of member of a governing board of an educational service center, or~~ office of township trustee.

Sec. 3513.05. (A) Each person desiring to become a candidate for a party nomination at a primary election or for election to an office or position to be voted for at a primary election, except persons desiring to become joint candidates for the offices of governor and lieutenant governor and except as otherwise provided in section 3513.051 of the Revised Code, shall, not later than four p.m. of the ninetieth day before the day of the primary election, file a declaration of candidacy and petition and pay the fees required under divisions (A) and (B) of section 3513.10 of the Revised Code. The declaration of candidacy and all separate petition papers shall be filed at the same time as one instrument. When the offices are to be voted for at a primary election, persons desiring to become joint candidates for the offices of governor and lieutenant governor shall, not later than four p.m. of the ninetieth day before the day of the primary election, comply with section 3513.04 of the Revised Code. The prospective joint candidates' declaration of candidacy and all separate petition papers of candidacies shall be filed at the same time as one instrument. The secretary of state or a

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Date

6/30/25

Mike DeWine

Mike DeWine, Governor

board of elections shall not accept for filing a declaration of candidacy and petition of a person seeking to become a candidate if that person, for the same election, has already filed a declaration of candidacy or a declaration of intent to be a write-in candidate, or has become a candidate by the filling of a vacancy under section 3513.30 of the Revised Code for any federal, state, or county office, if the declaration of candidacy is for a state or county office, or for any municipal or township office, if the declaration of candidacy is for a municipal or township office.

(B) If the declaration of candidacy declares a candidacy which is to be submitted to electors throughout the entire state, the petition, including a petition for joint candidates for the offices of governor and lieutenant governor, shall be signed by at least one thousand qualified electors who are members of the same political party as the candidate or joint candidates, and the declaration of candidacy and petition shall be filed with the secretary of state; provided that the secretary of state shall not accept or file any such petition appearing on its face to contain signatures of more than three thousand electors.

(C)(1) Except as otherwise provided in this ~~paragraph~~ section, if the declaration of candidacy is of one that is to be submitted only to electors within a district, political subdivision, or portion thereof, the petition shall be signed by not less than fifty qualified electors who are members of the same political party as the political party of which the candidate is a member. ~~If~~

(2) If the declaration of candidacy is for party nomination as a candidate for ~~member of the legislative authority of a municipal corporation elected by ward~~ any of the following, the petition shall be signed by not less than twenty-five qualified electors who are members of the political party of which the candidate is a member:

- (a) Member of the legislative authority of a municipal corporation elected by ward;
- (b) Member of a local or exempted village board of education;
- (c) Member of a board of education of a city school district having a population of less than twenty thousand, as determined by the most recent federal decennial census.

(D) No such petition, except the petition for a candidacy that is to be submitted to electors throughout the entire state, shall be accepted for filing if it appears to contain on its face signatures of more than three times the minimum number of signatures. When a petition of a candidate has been accepted for filing by a board of elections, the petition shall not be deemed invalid if, upon verification of signatures contained in the petition, the board of elections finds the number of signatures accepted exceeds three times the minimum number of signatures required. A board of elections may discontinue verifying signatures on petitions when the number of verified signatures equals the minimum required number of qualified signatures.

(E) If the declaration of candidacy declares a candidacy for party nomination or for election as a candidate of a minor party, the minimum number of signatures on such petition is one-half the minimum number provided in this section, except that, when the candidacy is one for election as a member of the state central committee or the county central committee of a political party, the minimum number shall be the same for a minor party as for a major party.

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Date 6/30/25

Mike DeWine

Mike DeWine, Governor

(F) If a declaration of candidacy is one for election as a member of the state central committee or the county central committee of a political party, the petition shall be signed by five qualified electors of the district, county, ward, township, or precinct within which electors may vote for such candidate. The electors signing such petition shall be members of the same political party as the political party of which the candidate is a member.

(G) For purposes of signing or circulating a petition of candidacy for party nomination or election, an elector is considered to be a member of a political party if the elector voted in that party's primary election within the preceding two calendar years, or if the elector did not vote in any other party's primary election within the preceding two calendar years.

(H) If the declaration of candidacy is of one that is to be submitted only to electors within a county, or within a district or subdivision or part thereof smaller than a county, the petition shall be filed with the board of elections of the county. If the declaration of candidacy is of one that is to be submitted only to electors of a district or subdivision or part thereof that is situated in more than one county, the petition shall be filed with the board of elections of the county within which the major portion of the population thereof, as ascertained by the next preceding federal census, is located.

(I) A petition shall consist of separate petition papers, each of which shall contain signatures of electors of only one county. Petitions or separate petition papers containing signatures of electors of more than one county shall not thereby be declared invalid. In case petitions or separate petition papers containing signatures of electors of more than one county are filed, the board shall determine the county from which the majority of signatures came, and only signatures from such county shall be counted. Signatures from any other county shall be invalid.

(J) Each separate petition paper shall be circulated by one person only, who shall be the candidate or a joint candidate or a member of the same political party as the candidate or joint candidates, and each separate petition paper shall be governed by the rules set forth in section 3501.38 of the Revised Code.

(K) The secretary of state shall promptly transmit to each board such separate petition papers of each petition accompanying a declaration of candidacy filed with the secretary of state as purport to contain signatures of electors of the county of such board. The board of the most populous county of a district shall promptly transmit to each board within such district such separate petition papers of each petition accompanying a declaration of candidacy filed with it as purport to contain signatures of electors of the county of each such board. The board of a county within which the major portion of the population of a subdivision, situated in more than one county, is located, shall promptly transmit to the board of each other county within which a portion of such subdivision is located such separate petition papers of each petition accompanying a declaration of candidacy filed with it as purport to contain signatures of electors of the portion of such subdivision in the county of each such board.

(L) All petition papers so transmitted to a board and all petitions accompanying declarations of candidacy filed with a board shall, under proper regulations, be open to public inspection until

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Date

6/30/25

Mike DeWine

Mike DeWine, Governor

four p.m. of the eightieth day before the day of the next primary election. Each board shall, not later than the seventy-eighth day before the day of that primary election, examine and determine the validity or invalidity of the signatures on the petition papers so transmitted to or filed with it and shall return to the secretary of state all petition papers transmitted to it by the secretary of state, together with its certification of its determination as to the validity or invalidity of signatures thereon, and shall return to each other board all petition papers transmitted to it by such board, together with its certification of its determination as to the validity or invalidity of the signatures thereon. All other matters affecting the validity or invalidity of such petition papers shall be determined by the secretary of state or the board with whom such petition papers were filed.

(M)(1) Protests against the candidacy of any person filing a declaration of candidacy for party nomination or for election to an office or position, as provided in this section, may be filed by any qualified elector who is a member of the same political party as the candidate and who is eligible to vote at the primary election for the candidate whose declaration of candidacy the elector objects to, or by the controlling committee of that political party. The protest shall be in writing, and shall be filed not later than four p.m. of the seventy-fourth day before the day of the primary election. The protest shall be filed with the election officials with whom the declaration of candidacy and petition was filed. Upon the filing of the protest, the election officials with whom it is filed shall promptly fix the time for hearing it, and shall forthwith mail notice of the filing of the protest and the time fixed for hearing to the person whose candidacy is so protested. They shall also forthwith mail notice of the time fixed for such hearing to the person who filed the protest. At the time fixed, such election officials shall hear the protest and determine the validity or invalidity of the declaration of candidacy and petition. If they find that such candidate is not an elector of the state, district, county, or political subdivision in which the candidate seeks a party nomination or election to an office or position, or has not fully complied with this chapter, the candidate's declaration of candidacy and petition shall be determined to be invalid and shall be rejected; otherwise, it shall be determined to be valid. That determination shall be final.

(2) A protest against the candidacy of any persons filing a declaration of candidacy for joint party nomination to the offices of governor and lieutenant governor shall be filed, heard, and determined in the same manner as a protest against the candidacy of any person filing a declaration of candidacy singly.

(N)(1) The secretary of state shall, on the seventieth day before the day of a primary election, certify to each board in the state the forms of the official ballots to be used at the primary election, together with the names of the candidates to be printed on the ballots whose nomination or election is to be determined by electors throughout the entire state and who filed valid declarations of candidacy and petitions.

(2) The board of the most populous county in a district comprised of more than one county but less than all of the counties of the state shall, on the seventieth day before the day of a primary election, certify to the board of each county in the district the names of the candidates to be printed

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Date 6/30/25

Mike DeWine

Mike DeWine, Governor

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on the official ballots to be used at the primary election, whose nomination or election is to be determined only by electors within the district and who filed valid declarations of candidacy and petitions.

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(3) The board of a county within which the major portion of the population of a subdivision smaller than the county and situated in more than one county is located shall, on the seventieth day before the day of a primary election, certify to the board of each county in which a portion of that subdivision is located the names of the candidates to be printed on the official ballots to be used at the primary election, whose nomination or election is to be determined only by electors within that subdivision and who filed valid declarations of candidacy and petitions.

Sec. 3513.052. (A) No person shall seek nomination or election to any of the following offices or positions at the same election by filing a declaration of candidacy and petition, a declaration of intent to be a write-in candidate, or a nominating petition, or by becoming a candidate through party nomination in a primary election, or by the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code:

- (1) Two or more state offices;
- (2) Two or more county offices;
- (3) A state office and a county office;
- (4) A federal office and a state or county office;

(5) Any combination of two or more municipal or township offices, positions as a member of a city, local, or exempted village board of education, or positions as a member of a governing board of an educational service center.

(B) The secretary of state or a board of elections shall not accept for filing a declaration of candidacy and petition, a declaration of intent to be a write-in candidate, or a nominating petition of a person seeking to become a candidate if that person, for the same election, has already filed a declaration of candidacy, a declaration of intent to be a write-in candidate, or a nominating petition, or has become a candidate through party nomination at a primary election or by the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code for:

(1) Any federal, state, or county office, if the declaration of candidacy, declaration of intent to be a write-in candidate, or nominating petition is for a state or county office;

(2) Any municipal or township office, or for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center, if the declaration of candidacy, declaration of intent to be a write-in candidate, or nominating petition is for a municipal or township office, or for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center.

(C)(1) If the secretary of state determines, before the day of the primary election, that a person is seeking nomination to more than one office at that election in violation of division (A) of this section, the secretary of state shall do one of the following:

(a) If each office or the district for each office for which the person is seeking nomination is

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Date 6/30/25

Mike DeWine

office that is not a federal office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that is not a federal office.

(E) When a person is disqualified as a candidate under division (C) or (D) of this section, on or before the seventieth day before the day of the applicable election, the board of elections shall remove the person's name from the ballot for any office for which that person has been disqualified as a candidate according to the directions of the secretary of state. When a person is disqualified as a candidate under division (C) or (D) of this section after the seventieth day before the day of the applicable election, the board of elections shall not remove the person's name from the ballot for any office for which that person has been disqualified as a candidate. The board of elections shall post a notice at each polling location on the day of the applicable election, and shall enclose with each absent voter's ballot given or mailed after the candidate is disqualified, a notice that votes for the person for the office for which the person has been disqualified as a candidate will be void and will not be counted. If the name is not removed from the ballots before the day of the election, the votes for the disqualified candidate are void and shall not be counted.

(F) Any vacancy created by the disqualification of a person as a candidate under division (C) or (D) of this section may be filled in the manner provided for in sections 3513.30 and 3513.31 of the Revised Code.

RM (G) Nothing in this section or section 3513.04, 3513.041, 3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, ~~3513.259~~, or 3513.261 of the Revised Code prohibits, and the secretary of state or a board of elections shall not disqualify, a person from being a candidate for an office, if that person timely withdraws as a candidate for any offices specified in division (A) of this section for which that person first sought to become a candidate by filing a declaration of candidacy and petition, a declaration of intent to be a write-in candidate, or a nominating petition, by party nomination in a primary election, or by the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code.

(H) As used in this section:

(1) "State office" means the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, ~~member of the state board of education~~, member of the general assembly, chief justice of the supreme court, and justice of the supreme court.

(2) "Timely withdraws" means either of the following:

(a) Withdrawing as a candidate before the applicable deadline for filing a declaration of candidacy, declaration of intent to be a write-in candidate, or nominating petition for the subsequent office for which the person is seeking to become a candidate at the same election;

(b) Withdrawing as a candidate before the applicable deadline for the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code, if the person is seeking to become a

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Date: 6/30/25

Mike DeWine

national convention of political parties, member of the state central committee of a political party, or member of the county central committee of a political party.

(D) All fees required under division (A) of this section immediately shall be paid by the officer receiving them into the state treasury to the credit of the general revenue fund, in the case of fees received by the secretary of state, and into the county treasury to the credit of the county general fund, in the case of fees received by a board of elections.

(E) The officer who receives a fee required under division (B) of this section immediately shall pay the fee to the credit of the Ohio ~~elections~~ election integrity commission fund created by ~~division (I) of under~~ section 3517.152-111.29 of the Revised Code.

(F)(1) In no case shall a fee paid under this section be returned to a candidate.

(2) Whenever a section of law refers to a filing fee to be paid by a candidate or by a committee proposing a ballot question or issue to be submitted to the electors, that fee includes the fees required under divisions (A) and (B) of this section.

(G) As used in divisions (A) and (B) of this section, "statewide office" means the office of secretary of state, auditor of state, treasurer of state, attorney general, justice and chief justice of the supreme court, and member of the United States senate.

Sec. 3513.19. (A) It is the duty of any precinct election official, whenever any such official doubts that a person attempting to vote at a primary election is legally entitled to vote at that election, to challenge the right of that person to vote. The right of a person to vote at a primary election may be challenged upon the following grounds:

(1) That the person whose right to vote is challenged is not a legally qualified elector;

(2) That the person has received or has been promised some valuable reward or consideration for the person's vote;

(3) That the person is not affiliated with or is not a member of the political party whose ballot the person desires to vote. Such party affiliation shall be determined by examining the elector's voting record for the current year and the immediately preceding two calendar years as shown on the voter's registration card, using the standards of affiliation specified in ~~the seventh paragraph~~ division (G) of section 3513.05 of the Revised Code. Division (A)(3) of this section and ~~the seventh paragraph~~ division (G) of section 3513.05 of the Revised Code do not prohibit a person who holds an elective office for which candidates are nominated at a party primary election from doing any of the following:

(a) If the person voted as a member of a different political party at any primary election within the current year and the immediately preceding two calendar years, being a candidate for nomination at a party primary held during the times specified in division (C)(2) of section 3513.191 of the Revised Code provided that the person complies with the requirements of that section;

(b) Circulating the person's own petition of candidacy for party nomination in the primary election.

(B) When the right of a person to vote is challenged upon the ground set forth in division (A)

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Date: 6/3/25

Mike DeWine

Mike DeWine, Governor

(3) of this section, membership in or political affiliation with a political party shall be determined by the person's statement, made under penalty of election falsification, that the person desires to be affiliated with and supports the principles of the political party whose primary ballot the person desires to vote.

Sec. 3517.01. (A)(1) A political party within the meaning of Title XXXV of the Revised Code is any group of voters that meets either of the following requirements:

(a) Except as otherwise provided in this division, at the most recent regular state election, the group polled for its candidate for governor in the state or nominees for presidential electors at least three per cent of the entire vote cast for that office. A group that meets the requirements of this division remains a political party for a period of four years after meeting those requirements.

(b) The group filed with the secretary of state, subsequent to its failure to meet the requirements of division (A)(1)(a) of this section, a party formation petition that meets all of the following requirements:

(i) The petition is signed by qualified electors equal in number to at least one per cent of the total vote for governor or nominees for presidential electors at the most recent election for such office.

(ii) The petition is signed by not fewer than five hundred qualified electors from each of at least a minimum of one-half of the congressional districts in this state. If an odd number of congressional districts exists in this state, the number of districts that results from dividing the number of congressional districts by two shall be rounded up to the next whole number.

(iii) The petition declares the petitioners' intention of organizing a political party, the name of which shall be stated in the declaration, and of participating in the succeeding general election, held in even-numbered years, that occurs more than one hundred twenty-five days after the date of filing.

(iv) The petition designates a committee of not less than three nor more than five individuals of the petitioners, who shall represent the petitioners in all matters relating to the petition. Notice of all matters or proceedings pertaining to the petition may be served on the committee, or any of them, either personally or by registered mail, or by leaving such notice at the usual place of residence of each of them.

(2) No such group of electors shall assume a name or designation that is similar, in the opinion of the secretary of state, to that of an existing political party as to confuse or mislead the voters at an election.

(B) A campaign committee shall be legally liable for any debts, contracts, or expenditures incurred or executed in its name.

(C) Notwithstanding the definitions found in section 3501.01 of the Revised Code, as used in this section and sections 3517.08 to ~~3517.14, 3517.99, and 3517.992~~ 3517.991 of the Revised Code:

(1) "Campaign committee" means a candidate or a combination of two or more persons authorized by a candidate under section 3517.081 of the Revised Code to receive contributions and

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Date

6/30/25

Mike DeWine

common pleas for temporary or permanent injunctions restraining a violation or threatened violation of its requirements. This action is an additional remedy not dependent on the adequacy of the remedy at law.

Sec. 3701.841. The tobacco use prevention fund is hereby created in the state treasury. The fund shall consist of money deposited by the treasurer of state into the fund from the liquidation, pursuant to Sub. H.B. 544 of the 127th general assembly, of the former tobacco use prevention and control endowment fund and any gifts, grants, or donations received by the director of health for the purposes of the tobacco use prevention fund. ~~All investment earnings of the fund shall be credited to the fund.~~ The treasurer, in consultation with the director, may invest moneys in the fund in accordance with section 135.143 of the Revised Code. Moneys in the fund shall be used to pay outstanding expenses of the former tobacco use prevention and control foundation at the discretion of the director of health pursuant to Sub. H.B. 544 of the 127th general assembly and shall be used in accordance with section 3701.84 of the Revised Code. *RMD*

Sec. 3701.88. (A) As used in this section:

"340B covered entity" means an entity described in section 340B(a)(4) of the "Public Health Service Act," 42 U.S.C. 256b(a)(4).

"340B drug" means a covered outpatient drug that has been subject to discount pricing under the 340B drug pricing program and is purchased by a 340B covered entity.

"340B drug pricing program" means the federal drug pricing program established under 42 U.S.C. 256b.

"Charity care" means free or discounted health care items and services provided to an individual who meets the 340B covered entity's financial assistance criteria and is unable to pay for the items or services, as reported on the 340B covered entity's medicare cost report. *RMD*

"Contract pharmacy" means a retail pharmacy under contract with a 340B covered entity to provide 340B drugs to patients on behalf of that covered entity under the 340B drug discount program or contract pharmacy on behalf of the covered entity.

"Low-income patient" means a patient with a household income below two hundred per cent of the federal poverty line. *RMD*

(B) Not later than July 1, 2026, and not later than the first day of July in each year thereafter, each 340B covered entity shall submit a report to the department of health. The report shall be submitted in the form and manner specified by the department, in consultation with any other agency the department of health determines appropriate. The report shall contain all of the following information, for the 340B covered entity and each offsite facility associated with it, from the previous calendar year: *RMD*

(1) All of the following data, delineated by patient payor type, including private insurance, medicare, medicaid, other third-party payor, uninsured, or self-pay:

(a) The aggregate acquisition cost for all 340B drugs dispensed or administered by the covered entity, associated facility, or contract pharmacy;

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Date 6/3/25

Mike DeWine

Mike DeWine, Governor

(b) The aggregate payments received from third-party payors, including insurers, for all 340B drugs dispensed or administered by the covered entity, associated facility, or contract pharmacy;

(c) The total number of prescriptions dispensed or administered by the covered entity, associated facility, or contract pharmacy, and the percentage of that total number that were 340B drugs;

(d) The percentage of patients served on a sliding fee scale for 340B drugs that were dispensed or administered at the covered entity, associated facility, or contract pharmacy. *RM*

(2) The total operating cost of the covered entity, including an itemized cost report of all of the following:

(a) Implementing a direct pass through of 340B profits to patients, in the form of lower cost-sharing for 340B drugs that are dispensed or administered by the covered entity, associated facility, or contracted pharmacy;

(b) Implementing a sliding fee scale for low-income patients for 340B drugs that are dispensed or administered by the covered entity, associated facility, or contract pharmacy; *RM*

(c) The covered entity's charity care costs.

(3) In connection with administering and providing services under the 340B drug pricing program, the total payments made by the covered entity to contract pharmacies, third-party administrators, or any other party or entity.

(4) Information regarding the covered entity's contract pharmacies, including all of the following:

(a) The covered entity's total number of contract pharmacies; *RM*

(b) The number of those contract pharmacies that are located outside of this state, including the state where each of those pharmacies are located;

(c) The total number of the covered entity's prescriptions that were filled at a contract pharmacy, the percentage of that number that are contract pharmacies located outside of this state, and the percentage of all of the covered entity's prescriptions that were filled by contract pharmacies; *RM*

(d) The total reimbursements paid by the covered entity to contract pharmacies or their affiliates for any 340B drugs dispensed or administered on behalf of the covered entity, and the percentage change in that amount compared to the previous year.

(5) A detailed, itemized accounting of the covered entity's expenditures from 340B drug pricing program profits, including all programs, services, and equipment funded or purchased with those profits. *RM*

(C) The department of health shall post the information in the reports required under this section on its public web site.

Sec. 3704.01. As used in this chapter:

(A) "Administrator" means the administrator of the United States environmental protection agency or the chief executive of any successor federal agency responsible for implementation of the

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Date 6/30/25

Mike DeWine

concerning which a property owner is claiming to be aggrieved or adversely affected.

The rules also shall establish procedures for giving such notice and for conducting the hearing required in rules adopted under division (A)(18) of this section.

(19) Prescribe standards for the regulation of gray water recycling systems;

(20) Prohibit a sewage treatment system from causing a public health nuisance;

(21) Define economic impact for purposes of division (B) of this section and section 3718.022 of the Revised Code;

Am (22) Establish statistical methods for evaluating sewage treatment system compliance for a twelve inch soil depth credit relative to bacterial parameters, such as fecal coliform and E. coli., that are derived from a minimum of one hundred forty-four consecutive data points. Such statistical methods shall include one of the following:

(a) The upper confidence limit of the mean method using log-transformed data, with the upper confidence limit derived from one of the following:

(i) A two-sided ninety-five per cent confidence interval for the mean and the maximum number of individual data points exceeding the treatment standard being five per cent;

(ii) A two-sided ninety-nine per cent confidence interval for the mean and the maximum number of individual data points exceeding the treatment standard being ten per cent.

(b) Any other statistical method that is equally protective of public health and welfare.

The rule also shall specify that a soil depth credit shall be approved when the upper confidence limit of the mean using log-transformed data is less than the applicable fecal coliform or E. coli. treatment standard set forth in rules adopted in accordance with this division.

The director may adopt other rules under division (A) of this section that the director determines are necessary to implement this chapter and to protect the public health and welfare.

At least sixty days prior to adopting a rule under division (A) of this section, the director shall provide boards of health and any other interested parties an opportunity to comment on the rule.

(B)(1) In accordance with section 3709.20 or 3709.21 of the Revised Code, as applicable, and subject to review by and approval of the director under division (C) of section 3718.05 of the Revised Code, a board of health may adopt rules necessary for the public health providing for more stringent standards than those established in rules adopted by the director under division (A) of this section. In proposing or adopting the rules, a board of health shall consider and document the economic impact of the rules on property owners within the applicable health district.

(2) A board that intends to adopt rules shall notify the department of health of the proposed rules and submit a copy of the proposed rules and the documentation of the economic impact of the rules at least ninety days prior to the proposed date of adoption. The director shall approve or disapprove any such proposed rule within ninety days after receiving a copy of the proposed rule from the board of health.

(3) In reviewing a proposed rule, the director shall approve the rule if all of the following

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6/30/26
Date: _____

Mike DeWine

apply:

- (a) The proposed rule is not in conflict with this chapter or rules adopted under it.
- (b) The proposed rule is authorized by division (B) of this section.
- (c) The proposed rule is no less stringent than rules adopted by the director.

(d) Unless otherwise authorized by this chapter or rules adopted under it, the proposed rule does not require design changes to a sewage treatment system, or component thereof, that differ from a design authorized in rules adopted under division (A) of this section, including rules adopted under division (A)(1) or (A)(3)(a)(iii) or (iv) of this section, or approved by the director under section 3718.04 of the Revised Code.

(e) The proposed rule does not require operation or maintenance procedures for a sewage treatment system that conflict with operation or maintenance procedures authorized in rules adopted under division (A) of this section, including rules adopted under division (A)(1) or (A)(3)(a)(iii) or (iv) of this section, or approved by the director under section 3718.04 of the Revised Code.

(4) If a board of health fails to submit a proposed rule to the director or fails to demonstrate that the board has considered the economic impact of the proposed rule, the rule shall have no force or effect and is not enforceable.

(C) The director shall not adopt rules under this chapter requiring a soil evaluator or soil scientist to evaluate the soil type and slope with respect to a sewage treatment system or a proposed sewage treatment system. *rm*

Sec. 3718.04. (A) A manufacturer seeking approval for the installation and use of a sewage treatment system or a component of a system in this state that differs in design or function from systems or components of systems the use of which is authorized in rules adopted under section 3718.02 of the Revised Code shall request an application form from the department of health. The applicant shall complete the form and include with it all of the information that is required by the department and the sewage treatment system technical advisory committee. The applicant shall submit a completed application and all required information to the director of health.

(B) Upon receipt of an application, the director shall examine the application and all accompanying information to determine if the application is complete. If the director determines that the application is not complete, the director shall notify the applicant not later than sixty days after submission of the application that the application is not complete, provide a description of the information that is missing from the application, and return the application and all accompanying information to the applicant. The applicant may resubmit the application to the director if the application includes the information that was identified by the director. Not later than thirty days after receipt of a complete application, the director shall notify the committee of the complete application and send a copy of the complete application and all accompanying information to the committee together with a request that the committee recommend that the director approve or disapprove the system.

Not later than ninety days after receipt of a complete application, the committee shall
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Date: *6/30/25*

Mike DeWine

recommend approval or disapproval of the application and submit its recommendation in writing to the director. The director shall approve or disapprove the application not later than sixty days after the committee submits its recommendation to the director or, if the committee fails to recommend approval or disapproval within the required time, not later than one hundred twenty days after the submission of a complete application. If the director fails to approve or disapprove an application within the required time, the application shall be deemed approved.

(C) In approving or disapproving an application, the director shall use the standards, guidelines, and protocols that the committee developed with the department for that purpose. The director shall not approve an application that fails to comply with those standards, guidelines, and protocols. If the committee recommends approval or disapproval of an application, the director shall consider the committee's recommendation before approving or disapproving the application. If the committee fails to provide advice or if the committee fails to recommend approval or disapproval of the application within the required time, the director may approve or disapprove the application without considering the advice of the committee. The director shall establish and include any appropriate terms and conditions with the approval of a sewage treatment system or component of a system for use in this state. For purposes of establishing soil absorption specifications for a sewage treatment system, the terms and conditions shall include standards regarding the sizing of the system.

(D) If the director approves an application under this section, the director shall notify the applicant in writing. The director also shall notify boards of health in accordance with the procedures established in rules adopted under section 3718.02 of the Revised Code that the sewage treatment system or component of a system that is the subject of the application is approved for statewide use. If the director disapproves an application under this section, the director shall notify the applicant in writing and provide a brief explanation for the disapproval.

(E) Decisions of the director approving or disapproving applications under this section may be appealed in accordance with Chapter 119. of the Revised Code.

(F) No approval shall be required under this section with respect to a sewage treatment system or component of a system that has been approved by the director prior to ~~the effective date of this amendment~~ September 17, 2010, unless the manufacturer of the system or component changes the design or seeks modifications to any terms and conditions of the prior approval.

(G) The director may revoke the approval of a sewage treatment system or component of a system if the director finds, based on substantial evidence, that the system or component fails to comply with applicable standards for the system or component. The revocation of an approval under this division may be appealed in accordance with Chapter 119. of the Revised Code.

(H)(1) The director shall not implement or enforce any special device approval or similar policy imposing additional requirements or restrictions on a sewage treatment system or component of a system that combines the treatment of effluent with subsurface dispersal of treated effluent directly to the soil, sand bed, or gravel for any approval in effect as of December 31, 2020.

The above boxed and initialed text was disapproved.

6/30/25

Date

Mike DeWine

Mike DeWine, Governor