

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**S. B. No. 209**

**Senator Williams**

**A BILL**

To amend Section 285.10 of H.B. 529 of the 132nd  
General Assembly to modify the purpose of a  
capital appropriation.

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

**Section 1.** That Section 285.10 of H.B. 529 of the 132nd  
General Assembly be amended to read as follows:

**Sec. 285.10.** FCC FACILITIES CONSTRUCTION COMMISSION  
Reappropriations

1	2	3	
A	Capital Donations Fund (Fund 5A10)		
B	C230E2	Capital Donations	\$ 1,826,810
C	TOTAL Capital Donations Fund		\$ 1,826,810
D	Public School Building Fund (Fund 7021)		

E	C23001	Public School Buildings	\$	25,000,000
F	C230W4	Community School Classroom Facilities Assistance	\$	7,989,174
G	C230X9	Lead Plumbing Fixture Replacement	\$	2,000,000
H	TOTAL Public School Building Fund		\$	34,989,174
I	Administrative Building Fund (Fund 7026)			
J	C23016	Energy Conservation Project	\$	1,860,678
K	C230E3	Hazardous Substance Abatement	\$	432,652
L	C230E5	State Agency Planning/Assessment	\$	450,000
M	TOTAL Administrative Building Fund		\$	2,743,330
N	Cultural and Sports Facilities Building Fund (Fund 7030)			
O	C23028	OHS - Basic Renovations and Emergency Repairs	\$	250,000
P	C23036	The Anchorage	\$	50,000
Q	C23039	Malinta Historical Society Caboose Exhibit	\$	6,000
R	C23050	The Octagon House	\$	100,000
S	C23052	Little Brown Jug Facility Improvements	\$	50,000
T	C23054	Bucyrus Historic Depot Renovations	\$	30,000

U	C23055	Portland Civil War Museum and Historical Displays	\$	25,000
V	C23060	Hallsville Historical Society	\$	100,000
W	C23062	Village of Edinburg Veterans Memorial	\$	35,000
X	C23065	Rickenbacker Boyhood Home	\$	139,000
Y	C23068	Huntington Playhouse	\$	40,000
Z	C23098	Twin City Opera House	\$	500,000
AA	C230AA	Cleveland Grays Armory Museum	\$	350,000
AB	C230AB	Cleveland Music Hall	\$	400,000
AC	C230AE	Variety Theatre	\$	250,000
AD	C230AG	Darke County Historical Society Garst Museum Parking Lot	\$	150,000
AE	C230AH	Longtown Clemens Farmstead Museum	\$	90,000
AF	C230AL	Fairfield Decorative Arts Center	\$	60,000
AG	C230AN	Millersport Corridor Improvement	\$	125,000
AH	C230AQ	OHS - Aminah Robinson Cultural Arts and Community Center	\$	150,000
AI	C230AS	Renovations of the Lincoln Theatre	\$	300,000
AJ	C230AU	Charleen and Charles Hinson Amphitheater	\$	1,000,000

AK	C230AV	Veterans Memorial for Senecaville	\$	15,000
AL	C230AZ	Madcap Productions - New Madcap Puppet Theater	\$	200,000
AM	C230BB	Golf Manor Volunteer Park Outdoor Amphitheater	\$	45,000
AN	C230BE	Four Corners Heritage Center Historic Structure	\$	100,000
AO	C230BF	Malinta Ohio Historical Site Rehabilitation	\$	19,000
AP	C230BL	Fairport Harbor Lighthouse Project	\$	200,000
AQ	C230BM	Lake County History Center Rehab Project	\$	250,000
AR	C230BQ	Logan County Veterans Memorial Hall Restoration	\$	300,000
AS	C230BR	Amherst Historical Water Tower Project	\$	40,000
AT	C230BU	Lorain Palace Theatre and Civic Center Rehabilitation	\$	150,000
AU	C230BV	Downtown Toledo Music Hall	\$	400,000
AV	C230CC	Dayton History Heritage Center of Regional Leadership	\$	1,500,000
AW	C230CD	Dayton Project M & M	\$	550,000
AX	C230CH	Mt. Perry Scenic Railroad Structure	\$	125,000

Renovations

AY	C230CK	Circleville Memorial Hall	\$	150,000
AZ	C230CL	Everts Community & Arts Center	\$	200,000
BA	C230CM	Waverly Old Children's Home Renovation	\$	20,000
BB	C230CN	Garrettsville Buckeye Block Community Theatre	\$	700,000
BC	C230CS	Mantua Township Historic Bell Tower	\$	57,000
BD	C230CY	City of Canton Central Plaza Memorial Statues	\$	100,000
BE	C230DB	Five Oaks Historic Home	\$	350,000
BF	C230DL	Marysville Avalon Theatre Renovations	\$	300,000
BG	C230DU	Kister Water Mill and Education Center	\$	200,000
BH	C230DV	Wayne Center for the Arts	\$	150,000
BI	C230DW	West Liberty Town Hall Opera House	\$	150,000
BJ	C230DZ	Columbus Zoo - Asia Quest	\$	250,000
BK	C230EC	Triumph of Flight	\$	250,000
BL	C230EF	Dayton Aviation Park	\$	1,000,000
BM	C230EJ	James A. Garfield Monument Maintenance	\$	500,000
BN	C230EK	Ohio Soldiers and Sailors Orphans	\$	150,000

		Home/Ohio Veterans Children's Home Chapel Restoration		
BO	C230F5	Thatcher Temple Art Building	\$	37,500
BP	C230H2	Cozad Bates House	\$	435,131
BQ	C230J5	Phillis Wheatley - <del>Hunter's Cove</del> <u>HouseHome for Youth Aging Out of Foster</u> <u>Care</u>	\$	350,000
BR	C230J6	West Side Market Renovation	\$	500,000
BS	C230J7	Cardinal Center	\$	75,000
BT	C230K3	African-American Legacy Project	\$	75,000
BU	C230K9	Washington Court House Auditorium	\$	100,000
BV	C230L3	Harmony Project	\$	300,000
BW	C230L9	Ariel Theatre	\$	200,000
BX	C230M3	Geauga Lyric Theater Guild	\$	200,000
BY	C230M6	Cincinnati Art Museum	\$	750,000
BZ	C230N5	Logan Theater	\$	25,000
CA	C230N6	Willard Train Viewing Platform	\$	50,000
CB	C230N8	Steubenville Grand Theatre Restoration Project	\$	75,000
CC	C230P3	Sterling Theater Revitalization Project	\$	72,000

CD	C230Q3	Columbus Zoo and Aquarium	\$	500,000
CE	C230Q4	Toledo Repertoire Theatre	\$	150,000
CF	C230Q8	Stambaugh Auditorium	\$	1,000,000
CG	C230R5	Wright Company Factory Project	\$	250,000
CH	C230R8	National Ceramic Museum and Heritage Center Renovation	\$	100,000
CI	C230S6	Pumphouse Center for the Arts	\$	130,000
CJ	C230T3	Hale Farm and Village Capital Improvement Project	\$	100,000
CK	C230X8	Riverside Veterans Memorial	\$	15,000
CL	C230Y6	Ashtabula Maritime and Surface Transportation Museum	\$	100,000
CM	C230Y7	Ashtabula Covered Bridge Festival Entertainment Pavilion	\$	100,000
CN	C230Z2	City of Trenton Amphitheatre Cover	\$	50,000
CO	C230Z6	Bedford Historical Society	\$	100,000
CP	C230Z7	Historical Society of Broadview Heights	\$	150,000
CQ	C230Z8	Brooklyn John Frey Park	\$	90,000
CR	TOTAL	Cultural and Sports Facilities Building Fund	\$	18,700,631
CS	School Building Program Assistance Fund (Fund 7032)			

CT C23002	School Building Program Assistance	\$	122,000,000
CU C23005	Exceptional Needs	\$	2,855,612
CV C23010	Vocation Facilities Assistance Program	\$	737,819
CW C23011	Corrective Action Program Grants	\$	2,341,432
CX	TOTAL School Building Program Assistance Fund	\$	127,934,863
CY	TOTAL ALL FUNDS	\$	186,194,808

PUBLIC SCHOOL BUILDINGS 9

The Director of Budget and Management, in consultation 10  
with the Executive Director of the Facilities Construction 11  
Commission, shall determine the reappropriation amount for the 12  
foregoing appropriation item C23001, Public School Buildings, 13  
based on the cash balance available in the fund to support this 14  
purpose. The amount reappropriated shall not exceed the 15  
unencumbered balance as of June 30, 2018, in appropriation item 16  
C23001, Public School Buildings. 17

LEAD PLUMBING FIXTURE REPLACEMENT 18

The Director of Budget and Management, in consultation 19  
with the Executive Director of the Facilities Construction 20  
Commission, shall determine the reappropriation amount for the 21  
foregoing appropriation item C230X9, Lead Plumbing Fixture 22  
Replacement, based on the cash balance available in the fund to 23  
support this purpose. The amount reappropriated shall not exceed 24  
the unencumbered balance as of June 30, 2018, in appropriation 25  
item C230X9, Lead Plumbing Fixture Replacement. 26

SCHOOL BUILDING PROGRAM ASSISTANCE 27



The amount reappropriated for the foregoing appropriation 28  
item C23002, School Building Program Assistance, is the 29  
unencumbered balance as of June 30, 2018, in appropriation item 30  
C23002, School Building Program Assistance, plus \$16,000,000. 31

CORRECTIVE ACTION PROGRAM GRANTS 32

The amount reappropriated for the foregoing appropriation 33  
item C23011, Corrective Action Program Grants, is the 34  
unencumbered balance as of June 30, 2018, in appropriation item 35  
C23011, Corrective Action Program Grants, minus \$16,000,000. 36

The foregoing appropriation item C23011, Corrective Action 37  
Program Grants, may be used to provide funding to bring 38  
facilities up to Ohio School Design Manual standards for a 39  
project funded pursuant to sections 3318.01 to 3318.20 or 40  
3318.40 to 3318.45 of the Revised Code for the correction of 41  
work that is found after occupancy of the facility to be 42  
defective, or to have been omitted. Funding shall only be 43  
provided for work if the impacted school district notifies the 44  
Executive Director of the Ohio Facilities Construction 45  
Commission within five years after occupancy of the facility for 46  
which the district seeks the funding. The Commission may provide 47  
funding assistance necessary to take corrective measures after 48  
evaluating defective or omitted work. If the work to be 49  
corrected or remediated is part of a project not yet completed, 50  
the Commission may amend the project agreement to increase the 51  
project budget and use corrective action funding to provide the 52  
state portion of the amendment. If the work to be corrected or 53  
remediated was part of a completed project and funds were 54  
retained or transferred pursuant to division (C) of section 55  
3318.12 of the Revised Code, the Commission may enter into a new 56  
agreement to address the necessary corrective action. The 57

Commission shall assess responsibility for the defective or 58  
omitted work and seek cost recovery from responsible parties, if 59  
applicable. Any funds recovered shall be applied first to the 60  
district portion of the cost of the corrective action. Any 61  
remaining funds shall be applied to the state portion and 62  
deposited into the School Building Program Assistance Fund (Fund 63  
7032) . 64

HAZARDOUS SUBSTANCE ABATEMENT IN STATE FACILITIES 65

The foregoing appropriation item C230E3, Hazardous 66  
Substance Abatement, shall be used to fund the removal of 67  
asbestos, PCB, radon gas, and other contamination hazards from 68  
state facilities. 69

Prior to the release of funds for asbestos abatement, the 70  
Ohio Facilities Construction Commission shall review proposals 71  
from state agencies to use these funds for asbestos abatement 72  
projects based on criteria developed by the Ohio Facilities 73  
Construction Commission. Upon a determination by the Ohio 74  
Facilities Construction Commission that the requesting agency 75  
cannot fund the asbestos abatement project or other toxic 76  
materials removal through existing capital and operating 77  
appropriations, the Commission may request the release of funds 78  
for such projects by the Controlling Board. State agencies 79  
intending to fund asbestos abatement or other toxic materials 80  
removal through existing capital and operating appropriations 81  
shall notify the Executive Director of the Ohio Facilities 82  
Construction Commission of the nature and scope prior to 83  
commencing the project. 84

Only agencies that have received appropriations for 85  
capital projects from the Administrative Building Fund (Fund 86  
7026) are eligible to receive funding from this item. Public 87

school districts are not eligible. 88

ENERGY CONSERVATION PROJECT 89

The amount reappropriated for the foregoing appropriation 90  
item C23016, Energy Conservation Project, is the unencumbered 91  
balance as of June 30, 2018, in appropriation item C23016, 92  
Energy Conservation Project, plus the unencumbered balance as of 93  
June 30, 2018, in appropriation item C230E4, Americans with 94  
Disabilities Act. 95

The foregoing appropriation item C23016, Energy 96  
Conservation Project, shall be used to perform energy 97  
conservation renovations, including the United States 98  
Environmental Protection Agency's Energy Star Program, in state- 99  
owned facilities. Prior to the release of funds for renovation, 100  
state agencies shall have performed a comprehensive energy audit 101  
for each project. The Ohio Facilities Construction Commission 102  
shall review and approve proposals from state agencies to use 103  
these funds for energy conservation. Public school districts and 104  
state-supported and state-assisted institutions of higher 105  
education are not eligible for funding from this item. 106

**Section 2.** That existing Section 285.10 of H.B. 529 of the 107  
132nd General Assembly is hereby repealed. 108