

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 1
General Assembly to modify the purpose of a 2
capital appropriation. 3

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 4
General Assembly be amended to read as follows: 5

Sec. 285.10. FCC FACILITIES CONSTRUCTION COMMISSION 6

Reappropriations 7

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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 |

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|----|--------|---|----|-----------|
| 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 |

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|-----------|---|----|-----------|
| 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

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|----|--------|---|----|-----------|
| 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 |

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|----|--------|---|----|---------|
| | | 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 - Hunter's Cove <u>House Home for Youth Aging Out of Foster 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 |

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|----|--------|---|----|------------|
| 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) | | |

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| 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

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| 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 |