



Sub. H.B. 388*

125th General Assembly

(As Reported by S. Finance & Financial Institutions)

Reps. Latta, Kearns, Willamowski, Hughes, Calvert, D. Evans, Flowers, Grendell

BILL SUMMARY

- Authorizes the conveyance of a parcel of state-owned real estate in Franklin County to the Supreme Court of Ohio.
- Requires the deed to the real estate to contain a reversionary clause providing for the re-conveyance of the real estate to the State of Ohio, Department of Administrative Services, if it is not used as the situs of the Supreme Court and its related functions.
- Provides that the real estate is conveyed on the condition that any future conveyance of the real estate by the Supreme Court is subject to the prior approval of the General Assembly.
- Provides that the real estate is conveyed on the additional condition that in the event of an emergency precluding the use of the Statehouse by the General Assembly, the Supreme Court must use its best efforts to allow use of the building by the General Assembly provided such use does not interfere with the normal operation of the Court.
- Authorizes the Supreme Court to create a board, commission, or other entity to be responsible for the operation and maintenance of the facilities and attendant exterior grounds that are the subject of the land conveyance.
- Declares an emergency.

** This analysis was prepared before the report of the Senate Finance and Financial Institutions Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

CONTENT AND OPERATION

Land conveyance

Authorization and consideration

(Section 2(A) and (B))

The bill authorizes the Governor to execute a deed in the name of the state conveying to the Supreme Court of Ohio and its successors and assigns, all of the state's right, title, and interest in a parcel of state-owned real estate in Franklin County. The consideration for the conveyance is a purchase price of \$1.

Preparation of the deed and conditions of the conveyance

(Section 2(C) and (D))

The bill specifies the procedures for preparing, executing, and recording a deed to the real estate upon the payment of the purchase price. Those procedures require the Auditor of State, with the assistance of the Attorney General, to prepare the deed. In addition, the bill requires the deed to contain a reversionary clause providing for the re-conveyance of the real estate to the State of Ohio, Department of Administrative Services, its successors and assigns, if the real estate is not used as the situs of the Supreme Court of Ohio and its related functions. Further, the bill provides that the real estate is conveyed on the conditions that any future conveyance of the real estate by the Supreme Court is subject to the prior approval of the General Assembly, and that in the event of an emergency precluding the use of the Statehouse by the General Assembly, the Supreme Court must use its best efforts to allow use of the building by the General Assembly provided such use does not interfere with the normal operation of the Supreme Court.

The Supreme Court is required to pay the costs of the conveyance of the real estate.

Expiration date

(Section 2(E))

The bill's land conveyance provisions expire one year after its effective date.

Creation of entity to manage facilities and grounds

(R.C. 2503.45)

The bill authorizes the Supreme Court to create a board, commission, or other entity to be responsible for the operation and maintenance of the facilities and attendant exterior grounds that are the subject of the land conveyance. The Supreme Court may authorize the board, commission, or other entity to establish a trust for the purpose of receiving, restoring, maintaining, and displaying items of historic, artistic, or educational value in the facilities or on the grounds. The bill also specifies that those facilities and attendant exterior grounds, and any income from the possession or operation of them, are exempt from taxation and assessments.

HISTORY

| ACTION | DATE | JOURNAL ENTRY |
|---|----------|---------------|
| Introduced | 01-28-04 | p. 1563 |
| Reported, H. Finance & Appropriations | 02-03-04 | pp. 1600-1601 |
| Passed House (92-0) | 02-04-04 | pp. 1623-1625 |
| Reported, S. Finance & Financial Institutions | --- | --- |

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