



Amber Hardesty

Final Analysis
Legislative Service Commission

Am. Sub. H.B. 266
127th General Assembly
(As Passed by the General Assembly)

Reps. Huffman, Zehringer, Stebelton, Evans, J. McGregor, Goodwin, Setzer, Seitz, Aslanides, Combs, Domenick, Fessler, Newcomb, J. Otterman, Reinhard, Ujvagi, Widowfield, Daniels, Hughes, Koziura, Patton, Schlichter, Schneider, Yuko

Sens. Faber, Fedor, Harris, Niehaus, Padgett, Seitz, Wagoner, Wilson, Schaffer

Effective date: *

ACT SUMMARY

- Modifies the number of members of a veterans memorial board of trustees.
- Modifies the number of members of a veterans memorial board of trustees who must be honorably discharged veterans of the United States armed forces.
- Removes membership requirements based on wartime military service and limitations regarding political affiliation.
- Establishes corrective action grants for school facilities projects and appropriates \$25 million from the School Building Program Assistance Fund for this purpose.

* The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.

CONTENT AND OPERATION

Veterans memorial board of trustees

(R.C. 345.08 and 345.01 to 345.05 (not in the act))

Within five days after financing is authorized for the purpose of establishing a memorial to commemorate the services of members and veterans of the United States armed forces, the mayor of the municipal corporation or the taxing authority of the township or county is to appoint a board of trustees. Under prior law, the board of trustees was required to have 11 members with at least seven of the members being honorably discharged veterans of the United States armed forces who have served in one or more wars in which the United States was a belligerent. Not more than six of the members could be from the same political party. Five initially appointed members served three-year terms, and six initially appointed members served five-year terms.

The act changes the number of members to be appointed to the board of trustees to not less than five nor more than eleven, and requires that a majority of the members be honorably discharged veterans of the United States armed forces. The act removes the requirement that members also must have served in a war, as well as the requirement limiting the number of board members from the same political party. The act also changes the number of trustees initially appointed to three-year terms from five to a majority of the members, with the remaining members initially appointed to five-year terms.

School facilities corrective action grants

(Section 201.50 of H.B. 496 of the 127th General Assembly)

The School Facilities Commission administers a number of programs to provide partial state funding to school districts in the construction, renovation, and repair of classroom facilities. Under these programs, a district's share of the cost of a facilities project and its priority for funding generally is based on its relative tax valuation per pupil. Most of the funds for the Commission's assistance programs come from the sale of state bonds, the proceeds from which are deposited in the School Building Program Assistance Fund (Fund 7032).

The act appropriates \$25 million in the FY 2009-FY 2010 biennium from the School Building Program Assistance Fund to be used by the Ohio School Facilities Commission to make corrective action grants. The appropriation is offset by a \$25 million decrease in the appropriation for school building program assistance.

The act specifies that the funding for corrective action grants is to be used to correct or remediate work found to be defective in or omitted from a facility constructed with state assistance. In order to receive corrective action grant funds, a school district must notify the Executive Director of the Commission within five years of the close-out of the affected project. The Commission can provide corrective action grant funding only after evaluating the defective or omitted work. The Commission must assess responsibility for the defective or omitted work and seek cost recovery, if applicable, from the responsible parties. If any funds are recovered, the act requires that they be deposited into the School Building Program Assistance Fund.

HISTORY

ACTION	DATE
Introduced	06-14-07
Reported, H. Infrastructure, Homeland Security & Veterans Affairs	05-08-08
Passed House (94-0)	05-20-08
Reported, S. State & Local Gov't & Veterans Affairs	12-16-08
Passed Senate (33-0)	12-16-08
House concurred in Senate amendments (95-1)	12-17-08

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