

(127th General Assembly)
(Substitute Senate Bill Number 24)

AN ACT

To amend sections 122.086, 122.087, 122.089, 122.0810, 122.0812, 122.0814, 122.0817, 122.0819, and 122.951 of the Revised Code to require the Director of Development to adopt rules regarding the annual competitive process for the Job Ready Site Program and to increase the maximum grant amount that may be awarded under the Industrial Site Improvement Fund.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 122.086, 122.087, 122.089, 122.0810, 122.0812, 122.0814, 122.0817, 122.0819, and 122.951 of the Revised Code be amended to read as follows:

Sec. 122.086. ~~(A)~~ There is hereby created the job ready site program to provide grants to pay for allowable costs of eligible applicants for eligible projects. The program shall be administered by the department of development ~~pursuant to guidelines established for it by the director of development.~~ All grants shall be awarded through one of the following two processes:

~~(A)(1)~~ The annual competitive process under sections 122.087 to 122.0811 ~~and~~, 122.0814, ~~and~~ 122.0815 of the Revised Code;

~~(B)(2)~~ The discretionary process under sections 122.0812, ~~122.0813,~~ ~~and~~ 122.0814 ~~to~~ 122.0815 of the Revised Code.

(B) The annual competitive process shall be administered by the department of development pursuant to rules adopted by the director of development under Chapter 119. of the Revised Code. The rules shall not establish criteria that have the effect of excluding applications for grants from any county of the state.

(C) The discretionary process shall be administered by the department of development pursuant to guidelines established by the director of development.

Sec. 122.087. The director of development shall establish an annual competitive process for making grants described in section 122.086 of the

Revised Code in accordance with rules adopted under that section. At least two-thirds of the amounts that may be distributed as grants each year under the job ready site program shall be distributed under the annual competitive process.

Sec. 122.089. An eligible applicant shall provide all of the following on the annual competitive process application:

- (A) Contact information for the eligible applicant;
- (B) A legal description of the property for which the grant is requested;
- (C) A summary of the proposed eligible project that includes all of the following:

- (1) A general description of the eligible project, including individuals, organizations, or other entities that will play a critical role in the implementation of the project;

- (2) An explanation of the need for the eligible project, and the predicted economic impact;

- (3) An explanation of the need for a grant from the job ready site program;

- (4) The commitments required pursuant to division (A)(3) of section 122.0815 of the Revised Code.

- (D) A detailed summary of costs for the eligible project, including supporting documents for cost estimates;

- (E) Sources of funding for the eligible project, including documentation verifying the status of those funds;

- (F) Summary results of preliminary engineering studies and environmental reviews, if any have been conducted;

- (G) A comprehensive marketing plan detailing how the eligible project will be marketed upon completion, if appropriate;

- (H) Copies of resolutions or ordinances related to the eligible project, including resolutions or ordinances adopted by the political subdivision with jurisdiction over the geographic area in which the eligible project is located;

- (I) Any other information the director of development requests on the application form.

Sec. 122.0810. (A) Each application for a grant pursuant to the annual competitive process received by a district public works integrating committee shall be evaluated by the executive committee of the district committee. In conducting the evaluation, the executive committee shall determine whether the application for the proposed eligible project is complete and whether the project meets the requirements of section 122.0815 of the Revised Code. If the application is complete and the eligible project meets the requirements of section 122.0815 of the Revised Code, the

executive committee shall prioritize the eligible project pursuant to section 122.0816 of the Revised Code and pursuant to local priorities, as those priorities are determined by the executive committee, with all other eligible projects with complete applications that meet the requirements of section 122.0815 of the Revised Code. If the application is incomplete or the project does not meet the requirements of section 122.0815 of the Revised Code, the executive committee shall notify the applicant of the deficiencies and the period of time the applicant has to correct the deficiencies and submit the corrections to the executive committee. Failure to correct deficiencies within the time designated by the executive committee shall disqualify the project from consideration for a grant during the annual competitive process for that year.

The executive committee, by the affirmative vote of a majority of all its members, shall select up to three eligible projects from the projects it has prioritized each year pursuant to the annual competitive process. The executive committee shall forward the applications and any accompanying information for each of the selected eligible projects to the department of development in the time and manner required by the guidelines rules governing the annual competitive process for the job ready site program.

(B) For a district public works integrating committee that does not have an executive committee, the full committee shall perform the functions assigned to the executive committee under section 122.0816 of the Revised Code and division (A) of this section.

(C) An executive committee, or a district committee that does not have an executive committee, may appoint a working group of committee members and staff to perform the functions of those committees as provided in this section.

Sec. 122.0812. The director of development shall establish a discretionary process that permits the director to make grants described in section 122.086 of the Revised Code in situations that include those in which the timing of a proposed eligible project is such that the annual competitive process is not suitable. The director, as part of the guidelines established for the discretionary process for the job ready site program, shall establish all the procedures and requirements governing application for the discretionary grants.

Sec. 122.0814. If the controlling board approves a grant for an eligible project pursuant to the annual competitive process or the discretionary process, the director of development shall enter into an agreement with the eligible applicant to provide the grant for the project. The agreement shall be executed prior to the payment or disbursement of any funds under the grant

and shall contain the following provisions:

(A) A designation of a single officer or employee of the eligible applicant who will serve as the manager of the eligible project;

(B) A detailed description of the scope of the work required under the eligible project, including anticipated sources and uses of funds;

(C) A designation of the percentage of the estimated total cost of the project for which the grant will provide funding, which shall not exceed seventy-five per cent of the cost;

(D) Provisions for the recovery by the department of development of grant funds for failure to meet the terms of the agreement;

(E) A requirement that annual reports be made by the eligible applicant on the progress of the eligible project and any other information about the status of the project as required by the guidelines and rules established for the job ready site program;

(F) Any other provisions the director determines necessary.

Sec. 122.0817. In accordance with the guidelines established to govern the discretionary process and the rules adopted to govern the annual competitive process for the job ready site program, the director of development shall publish an annual report that includes the following:

(A) Details on each grant awarded pursuant to the program;

(B) The status of projects funded in previous years;

(C) The amount of grants awarded for projects in economically distressed areas and, to the extent possible, the impact of those grants in those areas.

Sec. 122.0819. The ~~guidelines established~~ rules adopted to govern the annual competitive process for the job ready site program may provide for recovery of the costs, or a portion thereof, incurred by district public works integrating committees and executive committees in conducting their duties under the program.

Sec. 122.951. (A) If the director of development determines that a grant from the industrial site improvement fund may create new jobs or preserve existing jobs and employment opportunities in an eligible county, the director may grant up to ~~five~~ seven hundred ~~fifty~~ thousand dollars from the fund to the eligible county for the purpose of acquiring commercial or industrial land or buildings and making improvements to commercial or industrial areas within the eligible county, including, but not limited to:

(1) Expanding, remodeling, renovating, and modernizing buildings, structures, and other improvements;

(2) Remediating environmentally contaminated property on which hazardous substances exist under conditions that have caused or would

cause the property to be identified as contaminated by the Ohio or United States environmental protection agency; and

(3) Infrastructure improvements, including, but not limited to, site preparation, including building demolition and removal; streets, roads, bridges, and traffic control devices; parking lots and facilities; water and sewer lines and treatment plants; gas, electric, and telecommunications, including broadband, hook-ups; and water and railway access improvements.

A grant awarded under this section shall provide not more than seventy-five per cent of the estimated total cost of the project for which an application is submitted under this section. In addition, not more than ten per cent of the amount of the grant shall be used to pay the costs of professional services related to the project.

(B) An eligible county may apply to the director for a grant under this section in the form and manner prescribed by the director. The eligible county shall include on the application all information required by the director. The application shall require the eligible county to provide a detailed description of how the eligible county would use a grant to improve commercial or industrial areas within the eligible county, and to specify how a grant will lead to the creation of new jobs or the preservation of existing jobs and employment opportunities in the eligible county. The eligible county shall specify in the application the amount of the grant for which the eligible county is applying.

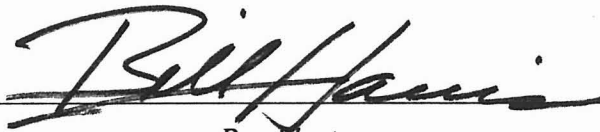
(C) An eligible county that receives a grant under this section is not eligible for any additional grants from the industrial site improvement fund in the fiscal year in which the grant is received and in the subsequent fiscal year.

(D) An eligible county may designate a port authority, community improvement corporation as defined in section 122.71 of the Revised Code, or other economic development entity that is located in the county to apply for a grant under this section. If a port authority, community improvement corporation, or other economic development entity is so designated, references to an eligible county in this section include references to the authority, corporation, or other entity.

SECTION 2. That existing sections 122.086, 122.087, 122.089, 122.0810, 122.0812, 122.0814, 122.0817, 122.0819, and 122.951 of the Revised Code are hereby repealed.



Speaker _____ of the House of Representatives.



President _____ of the Senate.

Passed June 26, 2007

Approved June 30, 2007



Governor.

Sub. S. B. No. 24

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The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

James W. Burley

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 30th day of June, A. D. 2007.

James B. ...

Secretary of State.

File No. 14

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