



Ohio Revised Code

Section 122.4046 Noncompliance with requirements.

Effective: May 17, 2021

Legislation: House Bill 2

(A) If the development services agency determines that a broadband provider that has been awarded a program grant under the Ohio residential broadband expansion grant program has not complied with the requirements of the program, the agency shall notify the provider of the noncompliance. In accordance with rules adopted by the agency under section 122.4077 of the Revised Code, the agency shall give the provider an opportunity to explain or cure the noncompliance.

(B) After reviewing the broadband provider's explanation or effort to cure the noncompliance, the following shall apply:

(1) The agency may require the provider to refund an amount equal to all, or a portion of, the amount of the program grant awarded to the provider, as determined by the agency.

(2) The agency may require the broadband provider to refund to the appropriate municipal corporation, township, or county the entire amount of general revenue funds or other discretionary funds that it contributed toward the broadband funding gap under division (A)(3)(c) or (d) of section 122.4020 of the Revised Code.

(C) Not more than thirty days after the agency's decision requiring a refund for program noncompliance or a failure to explain or cure it, the broadband provider shall pay the refund required under division (B) of this section. Payments shall be made directly to the municipal corporation, township, or county that contributed funds toward the broadband funding gap.
