



## Ohio Revised Code

### Section 123.20 Ohio facilities construction commission.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) There is hereby created the Ohio facilities construction commission. The commission shall administer the design and construction of improvements to public facilities of the state in accordance with this chapter, the provision of financial assistance to school districts for the acquisition or construction of classroom facilities in accordance with Chapter 3318. of the Revised Code, and any other applicable provisions of the Revised Code.

The commission is a body corporate and politic, an agency of state government and an instrumentality of the state, performing essential governmental functions of this state. The carrying out of the purposes and the exercise by the commission of its powers are essential public functions and public purposes of the state. The commission may, in its own name, sue and be sued, enter into contracts, and perform all the powers and duties given to it by the Revised Code, but it does not have and shall not exercise the power of eminent domain. In its discretion and as it determines appropriate, the commission may delegate to any of its members, executive director, or other employees any of the commission's powers and duties to carry out its functions.

(B) The commission shall consist of seven members, three of whom shall be voting members. The voting members shall be the director of the office of budget and management, the director of administrative services, and an additional administrative department head listed in section 121.03 of the Revised Code whom the governor shall appoint. Each voting member of the commission may designate an employee of the member's agency to serve on the member's behalf.

The nonvoting members shall be two members of the senate appointed by the president of the senate and two members of the house of representatives appointed by the speaker of the house of representatives. The nonvoting members who are senators shall not be members of the same political party, and the nonvoting members who are representatives shall not be members of the same political party.

The president of the senate and the speaker of the house of representatives shall appoint the



nonvoting members of the commission within forty-five days after the commencement of the first regular session of each general assembly, to serve for the duration of that general assembly. A seat on the commission becomes vacant if the nonvoting member who held the seat ceases to serve in the chamber of the general assembly from which the nonvoting member was appointed. A vacancy in a nonvoting seat on the commission shall be filled in the manner provided for original appointments not later than the thirty-first day after the day the seat becomes vacant.

Members of the commission or their designees shall serve without compensation.

Organizational meetings of the commission shall be held at the first meeting of each calendar year. At each organizational meeting, the commission shall elect from among its voting members a chairperson and vice-chairperson, who shall serve until the next annual organizational meeting. The commission shall adopt rules pursuant to Chapter 119. of the Revised Code for the conduct of its internal business and shall keep a journal of its proceedings. Including the organizational meeting, the commission shall meet at least once each calendar year.

Two voting members of the commission constitute a quorum, and the affirmative vote of two members is necessary for approval of any action taken by the commission. A vacancy in the membership of the commission does not impair a quorum from exercising all the rights and performing all the duties of the commission. Meetings of the commission may be held anywhere in the state and shall be held in compliance with section 121.22 of the Revised Code.

(C) The commission shall file an annual report of its activities and finances, including a report of the expenditures and progress of the classroom facilities assistance program under Chapter 3318. of the Revised Code, with the governor, speaker of the house of representatives, president of the senate, and chairpersons of the house and senate finance committees.

(D) The commission shall be exempt from the requirements of sections 101.82 to 101.87 of the Revised Code.