



## Ohio Revised Code

### Section 135.62 Linked deposit program definitions.

Effective: October 3, 2023

Legislation: House Bill 33

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As used in sections 135.62 to 135.66 of the Revised Code:

(A) "Discount interest rate" means an interest rate below the prevailing interest rate that the treasurer of state determines eligible lending institutions are willing to pay to hold linked deposits.

(B) "Eligible borrower" means a borrower that has met all the requirements necessary to participate in the adoption linked deposit program under section 135.63 of the Revised Code, agricultural linked deposit program under section 135.64 of the Revised Code, small business linked deposit program under section 135.65 of the Revised Code, or home improvement linked deposit program under section 135.66 of the Revised Code.

(C) "Eligible credit union" means, notwithstanding any contrary provision of sections 135.01 to 135.21 of the Revised Code, a federal credit union, a foreign credit union licensed pursuant to section 1733.39 of the Revised Code, or a credit union as defined in section 1733.01 of the Revised Code, located in this state.

(D) "Eligible lending institution" means a financial institution that is eligible to make loans, agrees to participate in the applicable linked deposit program, and is one of the following:

(1) A public depository of state funds, or an eligible credit union designated under division (A) of section 135.12 of the Revised Code;

(2) For the agricultural linked deposit program, notwithstanding any contrary provision of sections 135.01 to 135.21 of the Revised Code, an institution of the farm credit system organized under the federal "Farm Credit Act of 1971," 85 Stat. 583, 12 U.S.C. 2001, as amended.

(E) "Homestead" means a dwelling owned and occupied in this state as a single-family primary residence by an individual for the purpose of qualifying for the home improvement linked deposit



program. "Homestead" includes a house, condo, a unit in a multiple-unit dwelling, manufactured home or mobile home taxed as real property pursuant to division (B) of section 4503.06 of the Revised Code, or any other building with a residential classification, as allowed by the treasurer of state. "Homestead" includes so much of the land surrounding the dwelling as is reasonably necessary for the use of the dwelling as a residence, as determined by the treasurer of state.

(F) "Linked deposit" means a certificate of deposit, a share certificate, other financial institution instrument, or portion of an existing deposit of interim funds made in accordance with section 135.09 of the Revised Code placed, purchased, or designated by the treasurer of state with an eligible lending institution; provided the institution agrees to lend up to the value of such certificate of deposit, share certificate, or other financial institution instrument, or designated portion of an existing deposit to eligible borrowers for applicable linked deposit programs at the rate established in division (A) of section 135.624 of the Revised Code, and in accordance with the deposit agreement provided in section 135.623 of the Revised Code.

(G) "Linked deposit program" means a program authorized under sections 135.61 to 135.66 of the Revised Code and established by the treasurer of state pursuant to such sections.

(H) "Loan" means a contractual agreement under which an eligible lending institution agrees to lend money to an eligible borrower in the form of an upfront lump sum, a line of credit, or any other reasonable arrangement approved by the treasurer of state.

(I) "Manufactured home" has the same meaning as in section 3781.06 of the Revised Code.

(J) "Mobile home" has the same meaning as in section 4501.01 of the Revised Code.

(K) "Other financial institution instrument" means:

(1) For the agricultural linked deposit program under section 135.64 of the Revised Code, an investment by the treasurer of state in bonds, notes, debentures, or other obligations or securities issued by the federal farm credit bank with regard to an eligible lending institution;

(2) For all linked deposit programs other than the agricultural linked deposit program, a product that



otherwise would pay the prevailing interest rate approved by the treasurer of state, for the purpose of providing eligible borrowers with the benefits of the applicable linked deposit program, and in accordance with the deposit agreement provided in section 135.623 of the Revised Code.

(L) "Owner" includes a holder of one of the several estates in fee, a vendee in possession under a purchase agreement or a land contract, a mortgagor, a life tenant, one or more tenants with a right of survivorship, tenants in common, a settlor of a revocable or irrevocable inter vivos trust holding the title to a homestead occupied by the settlor as of right under the trust, or any other determination as made by the treasurer of state.

(M) "Prevailing interest rate" means a current market interest rate selected by the treasurer of state that eligible lending institutions are willing to pay to hold deposits of the treasurer of state.

(N) "Qualifying adoption expense" means any expense incurred to legally adopt a child as described in division (C) of section 3107.055 of the Revised Code, including any costs incurred by the eligible borrower proximately relating to the completion and approval of the home study under section 3107.031 of the Revised Code, and any other expense as determined by the treasurer of state.

(O) "Treasurer of state's assessment rate" means a rate not exceeding ten per cent that is calculated in a manner determined by the treasurer of state and that seeks to account for the effect that varying tax treatment among different types of financial institutions has on the ability of financial institutions to pay competitive interest rates to hold deposits.