



Ohio Revised Code

Section 3317.029 [Repealed effective 9/30/2021 by H.B. 110, 134th General Assembly] Payments to school districts with nuclear power plants.

Effective: June 29, 2018

Legislation: House Bill 98 - 132nd General Assembly

(A) As used in this section:

(1) "Eligible district" means a city, local, or exempted village school district that satisfies both of the following conditions:

(a) The district has a nuclear power plant located within its territory.

(b) The total taxable value of public utility personal property in the district for tax year 2017 is at least fifty per cent less than the total taxable value of public utility personal property in the district for tax year 2016.

(2)(a) For fiscal year 2015, "state education aid" means the sum of the district's payments for that fiscal year under sections 3317.022 and 3317.0212 of the Revised Code and Section 263.240 of Am. Sub. H.B. 59 of the 130th general assembly.

(b) For each of fiscal years 2016 and 2017, "state education aid" means the sum of the district's payments for that fiscal year under sections 3317.022 and 3317.0212 of the Revised Code and Section 263.230 of Am. Sub. H.B. 64 of the 131st general assembly.

(c) For each of fiscal years 2018 and 2019, "state education aid" means the sum of the district's payments for that fiscal year under sections 3317.022 and 3317.0212 of the Revised Code and Sections 265.220 and 265.233 of Am. Sub. H.B. 49 of the 132nd general assembly.

(d) For each of fiscal years 2020 and 2021, "state education aid" means the sum of the district's payments for that fiscal year under sections 3317.022 and 3317.0212 of the Revised Code and any temporary transitional aid that is authorized by the general assembly minus any reductions due to funding limitations that are authorized by the general assembly.



(3) "Taxes charged and payable" has the same meaning as in section 3317.02 of the Revised Code. For purposes of this section, at no time shall "taxes charged and payable" include taxes levied for joint vocational school district purposes or levied under section 5705.23 of the Revised Code.

(4) "Total ADM" has the same meaning as in section 3317.02 of the Revised Code.

(5) An eligible district's "total resources" for a fiscal year is equal to the sum of the following:

(a) The district's state education aid for that fiscal year;

(b) For fiscal year 2015, the amount of the district's payments for that fiscal year under sections 5727.85 and 5751.21 of the Revised Code as they existed prior to June 30, 2015;

(c) For fiscal year 2016 and any subsequent fiscal year, the amount of the district's payments for that fiscal year under section 5709.92 of the Revised Code;

(d) For fiscal years 2016 and 2017, the amount of the district's payment for that fiscal year under Section 263.325 of Am. Sub. H.B. 64 of the 131st general assembly, as subsequently amended;

(e) The sum of the following:

(i) The district's taxes charged and payable for current expenses for the first half of the most recent tax year for which data is available during that fiscal year. For fiscal years 2018, 2019, 2020, and 2021, this amount shall include only the taxes charged and payable for current expenses pursuant to property tax levies that are in effect as of the effective date of this section.

(ii) The district's taxes charged and payable for current expenses for the second half of the tax year immediately preceding the most recent tax year for which data is available during that fiscal year. For fiscal years 2018, 2019, 2020, and 2021, this amount shall include only the taxes charged and payable for current expenses pursuant to property tax levies that are in effect as of the effective date of this section.



(f) Distributions received by the district during that fiscal year from the gross casino revenue county student fund;

(g) The amount of the district's payment for that fiscal year under section 3317.028 of the Revised Code.

(6) An eligible district's "total resources per pupil" for a fiscal year is equal to the district's total resources for that fiscal year divided by the district's total ADM for that fiscal year.

(B) For each of fiscal years 2019, 2020, and 2021, the department of education shall pay each eligible district an amount computed as follows:

(1) Calculate the average of the district's total resources per pupil for fiscal years 2015, 2016, 2017, and 2018;

(2) Multiply the average calculated under division (B)(1) of this section by 0.97;

(3)(a) If the district's total ADM for the applicable fiscal year is greater than or equal to the district's total ADM for the fiscal year immediately preceding the applicable fiscal year, multiply the amount calculated under division (B)(2) of this section by the total ADM for the applicable fiscal year;

(b) If the district's total ADM for the applicable fiscal year is less than the district's total ADM for the fiscal year immediately preceding the applicable fiscal year, multiply the amount calculated under division (B)(2) of this section by the following:

The total ADM for the applicable fiscal year + [(the total ADM for the fiscal year immediately preceding the applicable fiscal year - the total ADM for the applicable fiscal year) X 0.5]

(4) Calculate the amount to be paid to the district by subtracting the district's total resources for the applicable fiscal year from the amount calculated under division (B)(3) of this section.

If the result of the calculation for a district under division (B)(4) of this section is less than zero, the district's payment under this section shall be zero.



(C) Any payments for a fiscal year made to an eligible district under this section shall occur after the department has made a payment to the district for that fiscal year under section 3317.028 of the Revised Code or has determined that the district is not eligible for a payment for that fiscal year under that section. All payments for a fiscal year made to an eligible district under this section shall be made not later than the last day of July of the following fiscal year. Upon making a payment for a fiscal year under this section, the department shall not make any reconciliations or adjustments to that payment.