



Ohio Revised Code Section 3318.036 Priority for project funding.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

(A) For purposes of this section:

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

(a) The district is either of the following:

(i) A district that resulted from one of the following that became effective between July 1, 2013, and June 30, 2018:

(I) A transfer of all of the territory of one school district to another school district in accordance with section 3311.22, 3311.231, 3311.24, or 3311.38 of the Revised Code;

(II) The merger of two or more districts in accordance with section 3311.25 of the Revised Code;

(III) The creation of a new local school district from all of one or more local school districts in accordance with section 3311.26 of the Revised Code;

(IV) The consolidation of two or more school districts under section 3311.37 of the Revised Code.

(ii) A district that intends to build a new school building on land originally owned by a state community college, as that term is defined in section 3358.01 of the Revised Code, with the intention of collaboratively working with the state community college on workforce development programs and curriculum.

(b) The district has demonstrated to the Ohio facilities construction commission an efficient use of facility space, including a reduction in the number of buildings used by students and administrative staff.



(2) "Basic project cost" and "required percentage of the basic project cost" have the same meanings as in section 3318.01 of the Revised Code.

(B) Notwithstanding anything to the contrary in this chapter:

(1) If the commission determines that a district is an eligible school district, the commission shall give that district first priority for funding for a project under sections 3318.01 to 3318.20 of the Revised Code as such funds become available, regardless of the district's percentile rank under section 3318.011 of the Revised Code. If the district results from a transfer, merger, consolidation, or creation of a new local district that takes effect prior to April 6, 2017, the district's portion of the basic project cost shall be the required percentage of the basic project cost based on the percentile ranking of the district that was transferred, merged, consolidated, or existed prior to the creation of the new district that has the lowest three-year average adjusted valuation per pupil, as calculated under section 3318.011 of the Revised Code, on the date that the transfer, merger, consolidation, or creation of the new district became effective.

(2) If an eligible school district is given priority under division (B)(1) of this section, the commission may reduce that district's portion of the basic project cost by twenty-five percentage points from the portion determined under section 3318.032 of the Revised Code or, if the district results from a transfer, merger, consolidation, or creation of a new local district that takes effect prior to April 6, 2017, from the portion determined under division (B)(1) of this section. At no time, however, shall that district's portion of the basic project cost be less than five per cent.

(3) If an eligible school district is given priority under division (B)(1) of this section, the commission may reduce that district's portion of the basic project cost by ten percentage points from the portion determined under section 3318.032 of the Revised Code or, if the district results from a transfer, merger, consolidation, or creation of a new local district that takes effect prior to April 6, 2017, from the portion determined under division (B)(1) of this section, if the district's project satisfies the following conditions:

(a) The project involves construction of a building on land owned by a state institution of higher education, as that term is defined in section 3345.011 of the Revised Code, or on land originally



owned by a state community college, as that term is defined in section 3358.01 of the Revised Code, with the intention of collaboratively working with the state community college on workforce development programs and curriculum, and the commission approves the project.

(b) The district and the state institution of higher education enter into a written agreement regarding the continued use of the institution's land by the district, and the commission approves the agreement. Division (B)(3)(b) of this section does not apply to a district that satisfies the condition described in division (A)(1)(a)(ii) of this section.

(c) On the date that the district and the state institution of higher education enter into the written agreement described in division (B)(3)(b) of this section, the state institution of higher education is participating in the college credit plus program established under Chapter 3365. of the Revised Code. Division (B)(3)(c) of this section does not apply to a district that satisfies the condition described in division (A)(1)(a)(ii) of this section.

At no time, however, shall that district's portion of the basic project cost be less than five per cent.

The reduction of the district's portion of the basic project cost described in division (B)(3) of this section may be in addition to a reduction of the district's portion of the basic project cost under division (B)(2) of this section.

(C) Except as provided in division (B) of this section, a district's project undertaken pursuant to this section shall be subject to all other requirements in sections 3318.01 to 3318.20 of the Revised Code.