

STATE OF OHIO
Executive Department

OFFICE OF THE GOVERNOR

Columbus

VETO MESSAGES

**STATEMENT OF THE REASONS FOR THE VETO OF ITEMS IN
SUBSTITUTE HOUSE BILL 26**

March 31, 2017

Pursuant to Article II, Section 16 of the Ohio Constitution, which states that the Governor may disapprove any items in a bill making an appropriation of money, I hereby disapprove the following items contained in Substitute House Bill 26 and set forth below the reasons for so doing. The text I am disapproving is identified in this message by reference to the corresponding page and boxed text of the bill.

ITEM NUMBER 1

On page 2, delete the following boxed text: "5501.90".

On page 4, delete the following boxed text: "5501.90".

On page 360, delete the boxed text beginning with "Sec. 5501.90. . .".

On page 361, delete the boxed text.

Creates Smart Transportation Action Advisory Team

This item creates a Smart Transportation Action Advisory Team to review concepts and make recommendations to the General Assembly regarding the use of public money for smart transportation initiatives undertaken by the Ohio Department of Transportation (ODOT) and JobsOhio. The development of smart transportation is extremely important for Ohio and the nation as new discoveries and innovations are generated and deployed daily. Investments in strategically planned smart mobility initiatives will have a positive impact on the lives of all Ohioans. While well-intentioned, this item creates a bureaucratic barrier that in effect will slow research in transportation technology. Additionally, an oversight committee of this sort could have a negative effect on federal funding and the significant private investment associated with it, putting Ohio's ability to compete in the smart transportation and mobility sector at a disadvantage. Therefore, this veto is in the public interest.

ITEM NUMBER 2

On page 2, delete the following boxed text: "5543.20".

On page 4, delete the following boxed text: "5543.20".

On page 370, delete the boxed text.

On page 371, delete the boxed text.

On page 411, delete the boxed text.

Changes the Frequency of Local Bridge Inspections

This item changes inspection requirements for local bridges, alternating between a full inspection in the first year and a "partial" inspection the following year. Current law requires a full inspection annually. Maintaining current law increases the likelihood that potentially dangerous or even deadly deficiencies are found and appropriate steps are taken to maintain the public's safety. Additionally, there are no current, established engineering standards for what constitutes a "partial" inspection of a bridge. Therefore, this veto is in the public interest.

ITEM NUMBER 3

On page 2, delete the following boxed text: "5501.60".

On page 4, delete the following boxed text: "5501.60".

On page 360, delete the boxed text beginning with "Sec. 5501.60. . .".

Requires the Ohio Department of Transportation to Install Interchanges on Limited Access Highways Every Four Miles in Certain Urban Areas

This item requires the Ohio Department of Transportation (ODOT) to install limited access entrance and exit interchanges every four miles in certain urban areas. While this provision is well intended and arises from a potential safety concern that is currently being studied by ODOT and its metropolitan planning partner, it is ultimately unworkable as it short circuits procedures and specifications for the installation of interchanges established by the Director of Transportation in accordance with roadway safety standards developed by the transportation and civil engineering profession. Additionally, this would likely run contrary to federal requirements regarding the environmental process involving local communities and the stewardship agreement ODOT has with the U.S. Department of Transportation regarding interstate routes. Therefore, this veto is in the public interest.

ITEM NUMBER 4

On page 1, delete the boxed text.

On page 3, delete the boxed text.

On page 25, delete the boxed text.

On page 410, delete the boxed text.

Eliminates the Requirement That a Person Other Than the Operator of a Boat Observe a Watersport Participant Being Towed by the Boat

Ohio has some of the nation's best outdoor recreational opportunities for boaters, anglers, and outdoor recreation enthusiasts. Safety on Ohio's waterways continues to be a top priority for the state of Ohio. This item would weaken Ohio's existing boating safety laws for watersports, such as skiing, by eliminating the requirement that a non-driving observer be onboard to provide situational awareness of other vessels on the water – and to alert the operator to potential danger. This would put at risk others on the lake and those being towed. Therefore, this veto is in the public interest.



IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus this 31st day of March, Two Thousand Seventeen.


John R. Kasich, Governor

This will acknowledge the receipt of a copy of this veto message of Substitute House Bill 26 that was disapproved in part by Governor John R. Kasich on March 31, 2017.

Name and Title of Officer

Date and Time of Receipt

(112nd General Assembly)
(Substitute House Bill Number 26)

AN ACT

To amend sections 106.03, 119.03, 121.82, 122.14, 126.06,
127.14, 164.05, 164.14, 303.40, 307.152, 325.33, 729.43,
1509.222, 1547.15 2935.27, 2937.221, 3123.59, 3737.84, *JRK*
4115.071, 4501.01, 4501.03, 4501.031, 4501.041,
4501.044, 4501.045, 4501.06, 4501.10, 4501.21, 4501.26,
4501.34, 4503.03, 4503.036, 4503.04, 4503.042, 4503.07,
4503.10, 4503.102, 4503.103, 4503.12, 4503.13,
4503.182, 4503.19, 4503.191, 4503.192, 4503.21,
4503.233, 4503.24, 4503.26, 4503.31, 4503.311,
4503.312, 4503.40, 4503.42, 4503.44, 4503.47, 4503.471,
4503.49, 4503.491, 4503.492, 4503.493, 4503.494,
4503.495, 4503.496, 4503.497, 4503.498, 4503.499,
4503.50, 4503.501, 4503.502, 4503.503, 4503.504,
4503.505, 4503.51, 4503.513, 4503.514, 4503.515,
4503.52, 4503.521, 4503.522, 4503.523, 4503.524,
4503.525, 4503.526, 4503.527, 4503.528, 4503.529,
4503.531, 4503.534, 4503.535, 4503.545, 4503.55,
4503.551, 4503.552, 4503.553, 4503.554, 4503.555,
4503.556, 4503.56, 4503.561, 4503.562, 4503.563,
4503.564, 4503.565, 4503.573, 4503.574, 4503.575,
4503.576, 4503.577, 4503.58, 4503.591, 4503.592,
4503.67, 4503.68, 4503.69, 4503.70, 4503.701, 4503.702,
4503.71, 4503.711, 4503.712, 4503.713, 4503.715,
4503.72, 4503.721, 4503.722, 4503.73, 4503.731,
4503.732, 4503.733, 4503.74, 4503.75, 4503.751,
4503.752, 4503.76, 4503.761, 4503.762, 4503.763,
4503.83, 4503.85, 4503.86, 4503.87, 4503.871, 4503.874,
4503.877, 4503.89, 4503.90, 4503.901, 4503.902,

The above boxed and initialed text was
disapproved

Date:

3-31-17

[Signature]

Governor

4503.903, 4503.904, 4503.91, 4503.92, 4503.93, 4503.94, 4503.95, 4503.96, 4503.97, 4503.98, 4504.05, 4504.10, 4505.06, 4505.061, 4505.09, 4505.11, 4505.111, 4505.14, 4506.08, 4506.09, 4507.011, 4507.091, 4507.1612, 4507.23, 4507.24, 4507.45, 4507.50, 4507.52, 4508.05, 4508.06, 4508.08, 4508.10, 4509.05, 4509.101, 4509.81, 4510.13, 4510.22, 4511.04, 4511.103, 4511.132, 4511.191, 4511.21, 4511.212, 4511.61, 4511.661, 4513.263, 4513.53, 4513.70, 4517.11, 4517.17, 4519.01, 4519.02, 4519.03, 4519.05, 4519.10, 4519.11, 4519.40, 4519.41, 4519.56, 4519.59, 4519.63, 4519.69, 4521.10, 4738.021, 4738.06, 4738.13, 4907.472, 4929.161, 4929.162, 4929.163, 4929.166, 5501.53, 5501.55, 5511.02, 5513.04, 5516.15, 5529.05, 5531.08, 5531.101, 5531.149, 5533.88, 5543.20, 5703.80, 5705.14, 5728.06, *JRK* 5728.08, 5733.98, 5735.01, 5735.05, 5735.053, 5735.06, 5735.07, 5735.11, 5735.124, 5735.13, 5735.14, 5735.142, 5735.18, 5735.19, 5735.20, 5735.27, 5735.28, and 5735.99; to enact new sections 5735.011, 5735.024, 5735.051, and 5735.052 and sections 306.50, 505.90, 1503.35, 4503.038, 4503.106, 4503.772, 4504.24, 4511.216, 5501.491, 5501.60, 5501.90, 5511.10, 5534.37, *JRK* 5534.38, 5534.45, 5534.47, 5534.49, 5534.74, 5534.75, 5534.80, and 5534.94; to repeal sections 4501.25, 4929.164, 5733.43, 5735.011, 5735.012, 5735.013, 5735.024, 5735.051, 5735.052, 5735.061, 5735.145, 5735.23, 5735.25, 5735.26, 5735.29, 5735.291, 5735.292, and 5735.30 of the Revised Code; and to repeal section 5501.491 of the Revised Code on July 1, 2019; and to amend Sections 512.20 and 751.40 of Am. Sub. H.B. 64 of the 131st General Assembly, Section 305.30 of Am. Sub. H.B. 64 of the 131st General Assembly, as

The above boxed and initialed text was disapproved.

Date: 3-21-17

[Signature]
Governor

subsequently amended, Section 253.300 of Am. Sub. S.B. 260 of the 131st General Assembly, Sections 207.200, 207.320, and 245.20 of S.B. 310 of the 131st General Assembly, and to amend Sections 207.80, 207.100, 223.10, and 239.10 of S.B. 310 of the 131st General Assembly, as subsequently amended, and to repeal Section 755.30 of this act one year after the effective date of that section to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 101.01. That sections 106.03, 119.03, 121.82, 122.14, 126.06, 127.14, 164.05, 164.14, 303.40, 307.152, 325.33, 729.43, 1509.222, 1547.15, 2935.27, 2937.221, 3123.59, 3737.84, 4115.071, 4501.01, 4501.03, 4501.031, 4501.041, 4501.044, 4501.045, 4501.06, 4501.10, 4501.21, 4501.26, 4501.34, 4503.03, 4503.036, 4503.04, 4503.042, 4503.07, 4503.10, 4503.102, 4503.103, 4503.12, 4503.13, 4503.182, 4503.19, 4503.191, 4503.192, 4503.21, 4503.233, 4503.24, 4503.26, 4503.31, 4503.311, 4503.312, 4503.40, 4503.42, 4503.44, 4503.47, 4503.471, 4503.49, 4503.491, 4503.492, 4503.493, 4503.494, 4503.495, 4503.496, 4503.497, 4503.498, 4503.499, 4503.50, 4503.501, 4503.502, 4503.503, 4503.504, 4503.505, 4503.51, 4503.513, 4503.514, 4503.515, 4503.52, 4503.521, 4503.522, 4503.523, 4503.524, 4503.525, 4503.526, 4503.527, 4503.528, 4503.529, 4503.531, 4503.534, 4503.535, 4503.545, 4503.55, 4503.551, 4503.552, 4503.553, 4503.554, 4503.555, 4503.556, 4503.56, 4503.561, 4503.562, 4503.563, 4503.564, 4503.565, 4503.573, 4503.574, 4503.575, 4503.576, 4503.577, 4503.58, 4503.591, 4503.592, 4503.67, 4503.68, 4503.69, 4503.70, 4503.701, 4503.702, 4503.71, 4503.711, 4503.712, 4503.713, 4503.715, 4503.72, 4503.721, 4503.722, 4503.73, 4503.731, 4503.732, 4503.733, 4503.74, 4503.75, 4503.751, 4503.752, 4503.76, 4503.761, 4503.762, 4503.763, 4503.83, 4503.85, 4503.86, 4503.87, 4503.871, 4503.874, 4503.877, 4503.89, 4503.90, 4503.901, 4503.902,

The above boxed and initialed text was disapproved.

Date: 3-31-17

[Signature]
John R. Kasich, Governor

4503.903, 4503.904, 4503.91, 4503.92, 4503.93, 4503.94, 4503.95, 4503.96, 4503.97, 4503.98, 4504.05, 4504.10, 4505.06, 4505.061, 4505.09, 4505.11, 4505.111, 4505.14, 4506.08, 4506.09, 4507.011, 4507.091, 4507.1612, 4507.23, 4507.24, 4507.45, 4507.50, 4507.52, 4508.05, 4508.06, 4508.08, 4508.10, 4509.05, 4509.101, 4509.81, 4510.13, 4510.22, 4511.04, 4511.103, 4511.132, 4511.191, 4511.21, 4511.212, 4511.61, 4511.661, 4513.263, 4513.53, 4513.70, 4517.11, 4517.17, 4519.01, 4519.02, 4519.03, 4519.05, 4519.10, 4519.11, 4519.40, 4519.41, 4519.56, 4519.59, 4519.63, 4519.69, 4521.10, 4738.021, 4738.06, 4738.13, 4907.472, 4929.161, 4929.162, 4929.163, 4929.166, 5501.53, 5501.55, 5511.02, 5513.04, 5516.15, 5529.05, 5531.08, 5531.101, 5531.149, 5533.88, 5543.20, 5703.80, 5705.14, 5728.06, 5728.08, 5733.98, 5735.01, 5735.05, 5735.053, 5735.06, 5735.07, 5735.11, 5735.124, 5735.13, 5735.14, 5735.142, 5735.18, 5735.19, 5735.20, 5735.27, 5735.28, and 5735.99 be amended and new sections 5735.011, 5735.024, 5735.051, and 5735.052 and sections 306.50, 505.90, 1503.35, 4503.038, 4503.106, 4503.772, 4504.24, 4511.216, 5501.491, 5501.60, 5501.90, 5511.10, 5534.37, 5534.38, 5534.45, 5534.47, 5534.49, 5534.74, 5534.75, 5534.80, and 5534.94 of the Revised Code be enacted to read as follows:

Sec. 106.03. Prior to the review date of an existing rule, the agency that adopted the rule shall do both of the following:

(A) Review the rule to determine all of the following:

(1) Whether the rule should be continued without amendment, be amended, or be rescinded, taking into consideration the purpose, scope, and intent of the statute under which the rule was adopted;

(2) Whether the rule needs amendment or rescission to give more flexibility at the local level;

(3) Whether the rule needs amendment or rescission to eliminate unnecessary paperwork;

(4) Whether the rule incorporates a text or other material by reference and, if so, whether the text or other material incorporated by reference is deposited or displayed as required by section 121.74 of the Revised Code and whether the incorporation by reference meets the standards stated in sections 121.72, 121.75, and 121.76 of the Revised Code;

(5) Whether the rule duplicates, overlaps with, or conflicts with other rules;

(6) Whether the rule has an adverse impact on businesses, as determined under section 107.52 of the Revised Code; and

(7) Whether the rule contains words or phrases having meanings that in contemporary usage are understood as being derogatory or offensive; and

The above boxed and initialed text was disapproved

Date: 3-31-17

[Signature]
John R. Kasich, Governor

(2) The applicant's plan for disposal does not provide for compliance with the requirements of this chapter and rules of the chief pertaining to the transportation of brine by vehicle and the disposal of brine so transported.

(C) No applicant shall attempt to circumvent division (B) of this section by applying for a registration certificate under a different name or business organization name, by transferring responsibility to another person or entity, or by any similar act.

(D) A registered transporter shall apply to revise a disposal plan under procedures that the chief shall prescribe by rule. However, at a minimum, an application for a revision shall list all sources and disposal sites of brine currently transported. The chief shall deny any application for a revision of a plan under this division if the chief finds that the proposed revised plan does not provide for compliance with the requirements of this chapter and rules of the chief pertaining to the transportation of brine by vehicle and the disposal of brine so transported. Approvals and denials of revisions shall be by order of the chief.

(E) The chief may adopt rules, issue orders, and attach terms and conditions to registration certificates as may be necessary to administer, implement, and enforce sections 1509.222 to 1509.226 of the Revised Code for protection of public health or safety or conservation of natural resources.

Sec. 1547.15. Any person who operates a vessel towing any person riding or attempting to ride upon one or more water skis or upon a surfboard or similar device, or engaging or attempting to engage in barefoot skiing, on the waters in this state shall have present in the vessel a one or both of the following:

(A) A person or persons other than the operator, ten years of age or older, who shall at all times observe the progress of the person being towed;

(B) A rearview mirror mounted so that the operator can observe the activities of the person being towed. ~~The~~

~~The operator of the towing vessel shall at all times observe the traffic pattern toward which the vessel is approaching.~~

~~No person shall operate or permit to be operated any vessel on the waters in this state in violation of this section.~~

Sec. 2935.27. (A)(1) If a law enforcement officer issues a citation to a person pursuant to section 2935.26 of the Revised Code and if the minor misdemeanor offense for which the citation is issued is an act prohibited by Chapter 4511., 4513., or 4549. of the Revised Code or an act prohibited by any municipal ordinance that is substantially similar to any section contained in Chapter 4511., 4513., or 4549. of the Revised Code, the officer shall inform the person, if the person has a current valid Ohio driver's or

The above boxed and initialed text was disapproved

Date: 3-31-17

[Signature]

John E. Kasich, Governor

system.

Sec. 5501.60. (A) When the boundaries of two municipal corporations are adjacent, the department of transportation shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every four miles when the following conditions exist:

(1) The adjacent municipal corporations each have a population of more than thirty thousand according to the most recent federal decennial census.

(2) The municipal corporations are located in different counties.

(3) At least one of the municipal corporations is located in a county with a population of more than one million according to the most recent federal decennial census.

(B) The department shall use money appropriated to it for highway purposes in order to comply with this section.

Sec. 5501.90. (A) There is hereby created the smart transportation action advisory team. The action advisory team shall consist of nine members with five members appointed by the governor, two members appointed by the president of the senate, and two members appointed by the speaker of the house of representatives in accordance with division (C) of this section.

(B) The action advisory team shall hear testimony, evaluate concepts, and make nonbinding recommendations to the general assembly regarding the use of public money for smart transportation initiatives and ways to promote cooperation at a state level for strategic investments by both of the following:

(1) The department of transportation;

(2) JobsOhio.

(C)(1) The governor shall appoint the following five members to the action advisory team:

(a) One representative from the department of transportation, who shall serve as the chairperson of the action advisory team.

(b) Two representatives from the automobile industry, one of whom is an auto dealer and one of whom is an auto manufacturer.

(c) Two representatives from any other organization, agency, or background as determined appropriate by the governor.

(2) The president of the senate shall appoint two members to the action advisory team, each representing a different political party.

(3) The speaker of the house of representatives shall appoint two members to the action advisory team, each representing a different political party.

The above boxed and initialed text was disapproved

Date:

3-31-17

 John Kasich, Governor

(D) Initial appointments to the action advisory team shall be made not later than September 1, 2017. Members serve at the pleasure of the member's appointing authority and may be removed only by that authority. Vacancies shall be filled in the same manner as provided for original appointments.

(E) Not later than October 1, 2017, the action advisory team shall hold its first meeting. Thereafter, the action advisory team shall meet periodically to fulfill its duties under division (B) of this section.

(F) The members of the action advisory team shall serve without compensation.

(G) As used in this section, "smart transportation initiatives" means any research, development, and testing related to advances in transportation technology, including automated and autonomous technology and vehicles; equipment used on and inside a vehicle pertaining to the function of the vehicle and the safety of the driver and passengers; and methods of controlling traffic flow and reducing congestion on highways.

Sec. 5511.02. (A)(1) The director of transportation may lay out, establish, acquire, open, construct, improve, maintain, regulate, vacate, or abandon "limited access highways" or "freeways" in the same manner in which the director may lay out, establish, acquire, open, construct, improve, maintain, regulate, vacate, or abandon highways. The director, board, or municipal authority shall have all additional authority relative to such "limited access highways" or "freeways" as he the director possesses relative to highways, including the authority to acquire by gift, purchase, condemnation, or otherwise land required for right of way.

(2) Prior to the director establishing any road, highway, or street as a limited access highway or freeway, the director shall provide notice in the same manner as the director provides notice of a road closure. The director shall, at a minimum, publish notice of the proposal at least twice in a newspaper of general circulation in each county where the limited access highway or freeway is proposed to be established. The director also shall provide the notice to each statewide organization that represents farmers within this state at least four weeks prior to taking action on the proposal. The notice shall include all of the following information:

(a) The location of the proposed limited access highway or freeway;

(b) The manner by which comments regarding the proposal may be submitted, as established by the director;

(c) The date by which comments must be received, which shall be not less than thirty days after the last date of publication in a newspaper of general circulation.

The above boxed and initialed text was disapproved.

Date: 3-31-17

 Governor

"Specialist Lawrence George Stapleton Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5534.94. The northbound and southbound lanes of state route number seven between the intersection of that route and state route number eighty-two and the intersection of state route number seven and state route number sixty-two, in Trumbull county, shall be known as the "Virginia E. "Ginny" Kirsch Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name.

Sec. 5543.20. The county engineer shall inspect all bridges or portions thereof on the county highway system inside and outside of municipalities, bridges on township roads, and other bridges or portions of bridges for which responsibility for inspection is by law or agreement assigned to the county. If the responsibility for inspection of a bridge is not fixed by law or agreement and the county performs the largest share of maintenance on a bridge, inspection shall be made by the engineer.

This section does not prohibit a board of township trustees from inspecting bridges within a township.

Such inspection shall be made annually, with the engineer alternating between performing a full inspection one year and a partial inspection the following year, or more frequently if required by the board of county commissioners, in accordance with the manual of bridge inspection described in section 5501.47 of the Revised Code.

Counties may contract for inspection services.

The engineer shall maintain an updated inventory of all bridges in the county, except those on the state highway system and those within a municipality for which the engineer has no duty to inspect, and indicate on the inventory record who is responsible for inspection and for maintenance, and the authority for such responsibilities.

The engineer shall report the condition of all bridges to the board of county commissioners not later than sixty days after ~~his annual~~ the inspection or ~~he the engineer~~ shall report more frequently if the board so requires. Any bridge for which the county has inspection or maintenance responsibility which at any time, is found to be in a condition that is a potential danger to life or property shall be identified in the reports, and if the engineer determines that the condition of any bridge represents an immediate danger ~~he the engineer~~ shall immediately report the condition to the board. With respect to those bridges where there exists joint maintenance responsibility, the engineer shall furnish a copy of ~~his the~~

JRK

The above boxed and initialed text was disapproved

Date 3-31-17


John Kasich, Governor

inspection report to each party responsible for a share of maintenance. The engineer shall furnish each board of township trustees with a report of the condition of bridges on the township road system of such township and furnish the legislative authority of each municipality in the county with a report of the condition of bridges in such municipality for which the county has responsibility for inspection.

"Maintenance" as used in this division means actual performance of maintenance work.

JRK

Sec. 5703.80. There is hereby created in the state treasury the property tax administration fund. All money to the credit of the fund shall be used to defray the costs incurred by the department of taxation in administering the taxation of property and the equalization of real property valuation.

Each fiscal year between the first and fifteenth days of July, the tax commissioner shall compute the following amounts for the property in each taxing district in each county, and certify to the director of budget and management the sum of those amounts for all taxing districts in all counties:

(A) For fiscal year 2010, ~~forty-two hundredths of one per cent of the total amount by which taxes charged against real property on the general tax list of real and public utility property were reduced under section 319.302 of the Revised Code for the preceding tax year;~~

(B) For fiscal year 2011-2020 and thereafter, ~~forty-eight~~ an amount not to exceed twenty-five hundredths of one per cent of the total amount by which taxes charged against real property on the general tax list of real and public utility property were reduced under section 319.302 of the Revised Code for the preceding tax year;

(C) ~~For fiscal year 2010, eight-tenths of one per cent of the total amount of taxes charged and payable against public utility personal property on the general tax list of real and public utility property for the preceding tax year and of the total amount of taxes charged and payable against tangible personal property on the general tax list of personal property of the preceding tax year and for which returns were filed with the tax commissioner under section 5711.13 of the Revised Code;~~

(D)(B) For fiscal year 2011-2020 and thereafter, ~~nine hundred fifty-one thousandths~~ an amount not to exceed forty-five hundredths of one per cent of the total amount of taxes charged and payable against public utility personal property on the general tax list of real and public utility property for the preceding tax year and of the total amount of taxes charged and payable against tangible personal property on the general tax list of personal property of the preceding tax year and for which returns were filed with the tax commissioner under section 5711.13 of the Revised Code.

The above boxed and initialed text was disapproved.

Date:

3-31-17


John A. Kasich, Governor

Sec. 5735.28. Wherever a municipal corporation is on the line of the state highway system as designated by the director of transportation as an extension or continuance of the state highway system, seven and one-half per cent of the amount paid to any municipal corporation pursuant to sections 4501.04, ~~5735.23~~, and 5735.27 of the Revised Code shall be used by it only to construct, reconstruct, repave, widen, maintain, and repair such highways, to purchase, erect, and maintain traffic lights and signals, and to erect and maintain street and traffic signs and markers on such highways, or to pay principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for such purposes.

Sec. 5735.99. (A) Whoever violates division (F) of section 5735.02, division (D) of section 5735.021, division (B) of section 5735.063, division (B) of section 5735.064, or division (A)(2) of section 5735.20 of the Revised Code is guilty of a misdemeanor of the first degree.

(B) Whoever violates division ~~(E)~~(C) of section 5735.06 of the Revised Code is guilty of a felony of the fourth degree.

(C) Whoever violates section 5735.025 or division (A)(1) of section 5735.20 of the Revised Code is guilty of a misdemeanor of the first degree, if the tax owed or the fraudulent refund received is not greater than five hundred dollars. If the tax owed or the fraudulent refund received is greater than five hundred dollars but not greater than ten thousand dollars, the offender is guilty of a felony of the fourth degree; for each subsequent offense when the tax owed or the fraudulent refund received is greater than five hundred dollars but not greater than ten thousand dollars, the offender is guilty of a felony of the third degree. If the tax owed or the fraudulent refund received is greater than ten thousand dollars, the offender is guilty of a felony of the second degree.

(D) Whoever violates a provision of this chapter for which a penalty is not otherwise prescribed under this section is guilty of a misdemeanor of the fourth degree.

(E) Whoever violates division (D)(5) of section 5735.19 of the Revised Code is guilty of a misdemeanor of the first degree.

SECTION 101.02. That existing sections 106.03, 119.03, 121.82, 122.14, 126.06, 127.14, 164.05, 164.14, 303.40, 307.152, 325.33, 729.43, 1509.222, 1547.15, 2935.27, 2937.221, 3123.59, 3737.84, 4115.071, 4501.01, 4501.03, 4501.031, 4501.041, 4501.044, 4501.045, 4501.06, 4501.10, 4501.21, 4501.26, 4501.34, 4503.03, 4503.036, 4503.04, 4503.042, 4503.07, 4503.10, 4503.102, 4503.103, 4503.12, 4503.13, 4503.182, 4503.19, 4503.191,

The above boxed and initialed text was disapproved.

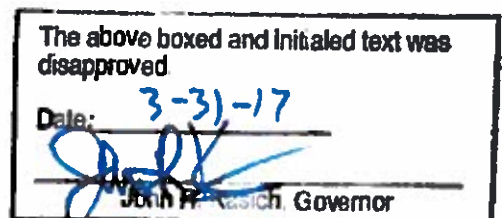
Date: 3-31-17

[Signature]
John R. Kasich, Governor

4503.192, 4503.21, 4503.233, 4503.24, 4503.26, 4503.31, 4503.311, 4503.312, 4503.40, 4503.42, 4503.44, 4503.47, 4503.471, 4503.49, 4503.491, 4503.492, 4503.493, 4503.494, 4503.495, 4503.496, 4503.497, 4503.498, 4503.499, 4503.50, 4503.501, 4503.502, 4503.503, 4503.504, 4503.505, 4503.51, 4503.513, 4503.514, 4503.515, 4503.52, 4503.521, 4503.522, 4503.523, 4503.524, 4503.525, 4503.526, 4503.527, 4503.528, 4503.529, 4503.531, 4503.534, 4503.535, 4503.545, 4503.55, 4503.551, 4503.552, 4503.553, 4503.554, 4503.555, 4503.556, 4503.56, 4503.561, 4503.562, 4503.563, 4503.564, 4503.565, 4503.573, 4503.574, 4503.575, 4503.576, 4503.577, 4503.58, 4503.591, 4503.592, 4503.67, 4503.68, 4503.69, 4503.70, 4503.701, 4503.702, 4503.71, 4503.711, 4503.712, 4503.713, 4503.715, 4503.72, 4503.721, 4503.722, 4503.73, 4503.731, 4503.732, 4503.733, 4503.74, 4503.75, 4503.751, 4503.752, 4503.76, 4503.761, 4503.762, 4503.763, 4503.83, 4503.85, 4503.86, 4503.87, 4503.871, 4503.874, 4503.877, 4503.89, 4503.90, 4503.901, 4503.902, 4503.903, 4503.904, 4503.91, 4503.92, 4503.93, 4503.94, 4503.95, 4503.96, 4503.97, 4503.98, 4504.05, 4504.10, 4505.06, 4505.061, 4505.09, 4505.11, 4505.111, 4505.14, 4506.08, 4506.09, 4507.011, 4507.091, 4507.1612, 4507.23, 4507.24, 4507.45, 4507.50, 4507.52, 4508.05, 4508.06, 4508.08, 4508.10, 4509.05, 4509.101, 4509.81, 4510.13, 4510.22, 4511.04, 4511.103, 4511.132, 4511.191, 4511.21, 4511.212, 4511.61, 4511.661, 4513.263, 4513.53, 4513.70, 4517.11, 4517.17, 4519.01, 4519.02, 4519.03, 4519.05, 4519.10, 4519.11, 4519.40, 4519.41, 4519.56, 4519.59, 4519.63, 4519.69, 4521.10, 4738.021, 4738.06, 4738.13, 4907.472, 4929.161, 4929.162, 4929.163, 4929.166, 5501.53, 5501.55, 5511.02, 5513.04, 5516.15, 5529.05, 5531.08, 5531.101, 5531.149, 5533.88, 5543.20, 5703.80, 5705.14, 5728.06, 5728.08, 5733.98, 5735.01, 5735.05, 5735.053, 5735.06, 5735.07, 5735.11, 5735.124, 5735.13, 5735.14, 5735.142, 5735.18, 5735.19, 5735.20, 5735.27, 5735.28, and 5735.99 of the Revised Code are hereby repealed. JPK

SECTION 105.01. That sections 4501.25, 4929.164, 5733.43, 5735.011, 5735.012, 5735.013, 5735.024, 5735.051, 5735.052, 5735.061, 5735.145, 5735.23, 5735.25, 5735.26, 5735.29, 5735.291, 5735.292, and 5735.30 of the Revised Code are hereby repealed.

SECTION 125.10. Section 5501.491 of the Revised Code is repealed July 1, 2019.



Sub. H. B. No. 26


132nd G.A.


Speaker _____ of the House of Representatives.


President _____ of the Senate.

Passed March 29, 2017

Approved March 31, 2017


Governor.