

AN ACT

To enact section 109.804 of the Revised Code and to amend Section 243.20 of Am. Sub. H.B. 49 of the 132nd General Assembly to require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course for certain newly appointed chiefs of police.

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

SECTION 1. That section 109.804 of the Revised Code be enacted to read as follows:

Sec. 109.804. (A) The Ohio peace officer training commission shall develop and conduct a chief of police training course lasting forty hours for newly appointed chiefs of police appointed on or after January 1, 2018. The commission shall determine the course topics, which shall include diversity training with an emphasis on historical perspectives and community-police relations, and shall establish criteria for what constitutes successful completion of the course. The commission shall conduct the course at the Ohio peace officer training academy and shall offer the course at least semiannually.

(B) A newly appointed chief of police may request an equivalency exemption from a portion of the forty hours of the chief of police training course by submitting to the Ohio peace officer training commission, not more than ten calendar days following the person's appointment as a chief of police, evidence of training or qualification in the subject area of the exempted portion.

(C) Upon presentation of evidence by a newly appointed chief of police that because of a medical disability or other good cause the newly appointed chief of police is unable to complete the chief of police training course, the Ohio peace officer training commission may defer the requirement for the newly appointed chief of police to complete the chief of police training course until the disability or cause terminates.

(D) A newly appointed chief of police appointed on or after January 1, 2018, shall attend a chief of police training course conducted by the Ohio peace officer training commission pursuant to division (A) of this section not later than six months after the person's appointment as a chief of police. While attending the chief of police training course, a newly appointed chief of police shall receive compensation in the same manner and amounts as if carrying out the powers and duties of the office of chief of police. The costs of conducting the chief of police training course shall be paid from state funds appropriated to the attorney general. The cost of meals, lodging, and travel of a newly appointed chief of police attending the chief of police training course shall be paid from the budget of the entity for which the newly appointed chief of police was appointed.

(E) As used in this section:

"Newly appointed chief of police" means a person appointed chief of police under section 505.49, 737.05, or 737.15 of the Revised Code or any administrative official that is responsible for

the daily administration and supervision of peace officers in a law enforcement agency who did not hold the office of chief of police on the date the person was appointed chief of police.

"Law enforcement agency" means a municipal or township police department, or any other entity authorized by statute to appoint peace officers to enforce criminal laws and who have the statutory power of arrest. "Law enforcement agency" does not include a county sheriff's office, the state highway patrol, or the bureau of criminal identification and investigation.

SECTION 2. That Section 243.20 of Am. Sub. H.B. 49 of the 132nd General Assembly be amended to read as follows:

Sec. 243.20. UNCLAIMED FUNDS PAYMENTS

The foregoing appropriation item 800625, Unclaimed Funds-Claims, shall be used to pay claims under section 169.08 of the Revised Code. If it is determined by the Director of Commerce that additional appropriation amounts are necessary to make such payments, the Director of Commerce may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated.

DIVISION OF REAL ESTATE AND PROFESSIONAL LICENSING

The foregoing appropriation item 800631, Real Estate Appraiser Recovery, shall be used to pay settlements, judgments, and court orders under section 4763.16 of the Revised Code. If it is determined by the Director of Commerce that additional appropriation amounts are necessary to make such payments, the Director of Commerce may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated.

The foregoing appropriation item 800611, Real Estate Recovery, shall be used to pay settlements, judgments, and court orders under section 4735.12 of the Revised Code. If it is determined by the Director of Commerce that additional appropriation amounts are necessary to make such payments, the Director of Commerce may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated.

~~FIRE MARSHAL~~

~~Of the foregoing appropriation item 800610, Fire Marshal, \$150,000 in fiscal year 2018 shall be used to provide a loan for fire training center equipment to a fire training center that received an appropriation in S.B. 310 of the 131st General Assembly.~~

FIRE DEPARTMENT GRANTS

(A) The foregoing appropriation item 800639, Fire Department Grants, shall be used to make annual grants to the following eligible recipients: volunteer fire departments, fire departments that serve one or more small municipalities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships, local units of government responsible for such fire departments, and local units of government responsible for the provision of fire protection services for small municipalities or small townships. For the purposes of these grants, a private fire company, as that phrase is defined in section 9.60 of the Revised Code, that is providing fire protection services under a contract to a political subdivision of the state, is an additional eligible recipient for a training grant.

Eligible recipients that consist of small municipalities or small townships that all intend to contract with the same fire department or private fire company for fire protection services may

jointly apply and be considered for a grant. If a joint applicant is awarded a grant, the State Fire Marshal shall, if feasible, proportionately award the grant and any equipment purchased with grant funds to each of the joint applicants based upon each applicant's contribution to and demonstrated need for fire protection services. For the purpose of this grant program, an eligible recipient or any firefighting entity that is contracted to serve an eligible recipient may only file, be listed as joint applicant, or be designated as a service provider on one grant application per fiscal year.

If the grant awarded to joint applicants is an equipment grant and the equipment to be purchased cannot be readily distributed or possessed by multiple recipients, each of the joint applicants shall be awarded by the State Fire Marshal an ownership interest in the equipment so purchased in proportion to each applicant's contribution to and demonstrated need for fire protection services. The joint applicants shall then mutually agree on how the equipment is to be maintained, operated, stored, or disposed of. If, for any reason, the joint applicants cannot agree as to how jointly owned equipment is to be maintained, operated, stored, or disposed of or any of the joint applicants no longer maintain a contract with the same fire protection service provider as the other applicants, then the joint applicants shall, with the assistance of the State Fire Marshal, mutually agree as to how the jointly owned equipment is to be maintained, operated, stored, disposed of, or owned. If the joint applicants cannot agree how the grant equipment is to be maintained, operated, stored, disposed of, or owned, the State Fire Marshal may, in its discretion, require all of the equipment acquired by the joint applicants with grant funds to be returned to the State Fire Marshal. The State Fire Marshal may then award the returned equipment to any eligible recipients. For this paragraph only, an "equipment grant" also includes a MARCS Grant.

(B) Except as otherwise provided in this section, the grants shall be used by recipients to purchase firefighting or rescue equipment or gear or similar items, to provide full or partial reimbursement for the documented costs of firefighter training, or, at the discretion of the State Fire Marshal, to cover fire department costs for providing fire protection services in that grant recipient's jurisdiction.

(1) Of the foregoing appropriation item 800639, Fire Department Grants, up to \$1,000,000 per fiscal year may be used to pay for the State Fire Marshal's costs of providing firefighter I certification classes or other firefighter classes approved by the State Fire Marshal at no cost to selected students attending the Ohio Fire Academy or other class providers approved by the State Fire Marshal. The State Fire Marshal may establish the qualifications and selection processes for students to attend such classes by written policy, and such students shall be considered eligible recipients of fire department grants for the purposes of this portion of the grant program.

(2) Of the foregoing appropriation item 800639, Fire Department Grants, up to \$3,000,000 in each fiscal year may be used for MARCS Grants. MARCS Grants may be used for the payment of user access fees by the eligible recipient to access MARCS.

For purposes of this section, a MARCS Grant is a grant for systems, equipment, or services that are a part of, integrated into, or otherwise interoperable with the Multi-Agency Radio Communication System (MARCS) operated by the state.

MARCS Grant awards may be up to \$50,000 in each fiscal year per eligible recipient. Each eligible recipient may only apply, as a separate entity or as a part of a joint application, for one MARCS Grant per fiscal year. The State Fire Marshal may give a preference in the awarding of

MARCS Grants to grants that will enhance the overall interoperability and effectiveness of emergency communication networks in the geographic region that includes and that is adjacent to the applicant. Eligible recipients that are or were awarded fire department grants that are not MARCS Grants may also apply for and receive MARCS Grants in accordance with criteria for the awarding of grant funds established by the State Fire Marshal.

(3) Grant awards for firefighting or rescue equipment or gear or for fire department costs of providing fire protection services shall be up to \$15,000 per fiscal year, or up to \$25,000 per fiscal year if an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded. In addition to any grant funds awarded for rescue equipment or gear, or for fire department costs associated with the provision of fire protection services, an eligible entity may receive a grant for up to \$15,000 per fiscal year for full or partial reimbursement of the documented costs of firefighter training. For each fiscal year, the State Fire Marshal shall determine the total amounts to be allocated for each eligible purpose.

(C) The grants shall be administered by the State Fire Marshal in accordance with rules the State Fire Marshal adopts as part of the state fire code adopted pursuant to section 3737.82 of the Revised Code that are necessary for the administration and operation of the grant program. The rules may further define the entities eligible to receive grants and establish criteria for the awarding and expenditure of grant funds, including methods the State Fire Marshal may use to verify the proper use of grant funds or to obtain reimbursement for or the return of equipment for improperly used grant funds. To the extent consistent with this section and until the rules are updated, the existing rules in the state fire code adopted pursuant to section 3737.82 of the Revised Code for fire department grants under this section apply to MARCS Grants. Any amounts in appropriation item 800639, Fire Department Grants, in excess of the amount allocated for these grants may be used for the administration of the grant program.

CASH TRANSFERS TO DIVISION OF REAL ESTATE OPERATING FUND

Upon the written request of the Director of Commerce, the Director of Budget and Management may transfer up to \$500,000 in cash from the Real Estate Recovery Fund (Fund 5480) and up to \$250,000 in cash from the Real Estate Appraiser Recovery Fund (Fund 4B20) to the Division of Real Estate Operating Fund (Fund 5490) during the biennium ending June 30, 2019.

SMALL GOVERNMENT FIRE DEPARTMENT SERVICES REVOLVING LOAN FUND

Upon the written request of the Director of Commerce, the Director of Budget and Management may transfer up to \$300,000 in cash from the State Fire Marshal Fund (Fund 5460) to the Small Government Fire Department Services Revolving Loan Fund (Fund 5F10) during the biennium ending June 30, 2019.

Of the foregoing appropriation item 800635, Small Government Fire Departments, \$150,000 in fiscal year 2018 shall be used to provide a grant for fire training center equipment to a fire training center that received an appropriation in S.B. 310 of the 131st General Assembly.

SECTION 3. That existing Section 243.20 of Am. Sub. H.B. 49 of the 132nd General Assembly is hereby repealed.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____