

section, the director of development shall adopt rules under Chapter 119. of the Revised Code that are necessary for successful and efficient administration of the broadband pole replacement and undergrounding program.

Sec. 191.43. On the date that is six years after the effective date of this section, payments under the Ohio broadband pole replacement fund shall cease and section 191.27 of the Revised Code shall not be in force or have further application, except as described in sections 191.44 and 191.45 of the Revised Code.

Sec. 191.44. The department of development in coordination with the Ohio broadband expansion program authority shall do the following, for the period ending six months after the date described in section 191.43 of the Revised Code:

(A) Complete the review of any program applications that were submitted prior to the date described in section 191.43 of the Revised Code and pay program reimbursements for the approved applications;

(B) Complete the review of any program applications submitted not later than four months after the date described in section 191.43 of the Revised Code and pay program reimbursements for the approved applications, if the reimbursements are for costs that were incurred prior to the date described in section 191.43 of the Revised Code.

Sec. 191.45. If there is an outstanding balance in the broadband pole replacement fund after the Ohio broadband pole replacement program reimbursements are paid pursuant to section 191.44 of the Revised Code, the remaining balance shall be returned to the original funding sources as determined by the department of development.

Sec. 301.27. (A) As used in this section:

(1) "Credit card" includes gasoline and telephone credit cards but excludes any procurement card authorized under section 301.29 of the Revised Code.

(2) "Officer" includes an individual who also is an appointing authority.

~~(3) "Gasoline and oil expenses" and "motor vehicle repair and maintenance expenses" refer to only those expenses incurred for motor vehicles owned or leased by the county.~~

~~(B)~~<sup>(1)</sup>(B) A board of county commissioners, in consultation with the county auditor, shall adopt a policy by resolution regarding the use of county credit cards by the board of county commissioners, by the office of any other county appointing authority, or by an officer or employee of the board or any other appointing authority. The board shall deliver a copy of the policy to the county auditor. The policy shall include all of the

following:

(1) The procedure for submitting itemized receipts for purchases to the county auditor;

(2) Any other provision regarding the use of county credit cards so long as the provision does not conflict with this section.

~~(C) A county credit card held by a board of county commissioners or the office of any other county appointing authority shall be used only to pay the following work-related expenses:~~

~~(a) Food expenses;~~

~~(b) Transportation expenses;~~

~~(c) Gasoline and oil expenses;~~

~~(d) Motor vehicle repair and maintenance expenses;~~

~~(e) Telephone expenses;~~

~~(f) Lodging expenses;~~

~~(g) Internet service provider expenses;~~

~~(h) In the case of a public children services agency, expenses for purchases for children for whom the agency is providing temporary emergency care pursuant to section 5153.16 of the Revised Code, children in the temporary or permanent custody of the agency, and children in a planned permanent living arrangement;~~

~~(i) Webinar expenses;~~

~~(j) The expenses for purchases of automatic or electronic data processing or record-keeping equipment, software, or services, provided that, in a county that has established an automatic data processing board, the county office and the county officer or employee authorized to use the credit card comply with sections 307.84 to 307.847 of the Revised Code. The expenses paid by a credit card under division (B)(1)(j) of this section shall not exceed ten thousand dollars per quarter, unless the board of county commissioners adopts a resolution approving the payment by credit card of such expenses that exceed that amount during that time period;~~

~~(k) Expenses related to temporary and necessary assistance care provided by the county veterans service office in accordance with this section and in accordance with the policy adopted under division (B) of this section.~~

~~(2) No late charges or finance charges shall be allowed as an allowable expense unless authorized by the board of county commissioners.~~

~~(C)(D)~~ A county appointing authority ~~may~~ shall apply to the board of county commissioners for authorization to have an officer or employee of the appointing authority use a county credit card ~~held by that appointing authority~~. The authorization request shall state whether the card is to be

issued ~~only~~ in the name of the office of the appointing authority ~~or whether the issued card also shall include~~ in the name of a specified an officer or employee. A county appointing authority shall notify, and update as necessary, the county auditor and the board of county commissioners regarding in whose name a county credit card is issued.

~~(D) The debt incurred as a result of the use of a credit card pursuant to this section shall be paid from moneys appropriated to specific appropriation line items of the appointing authority for work related expenses listed in division (B)(1) of this section.~~

(E)(1) A county credit card shall be used only for purchases that satisfy all of the following:

(a) The purchase is for a work-related expense.

(b) The purchase serves a public purpose.

(c) The debt incurred as a result of the purchase is payable with available moneys appropriated to a specific appropriation line item that is appropriate for the purchase.

(d) The purchase complies with this section and with the policy adopted by the board of county commissioners under division (B) of this section.

(2) An officer, employee, or appointing authority is liable in the manner prescribed under division (H) of this section for the following, unless approved by the board of county commissioners:

(a) Finance charges;

(b) Late fees or late penalties;

(c) Sales tax.

~~(E)(1)(F)(1)~~ (F)(1) Except as otherwise provided in division ~~(E)(2)(F)(2)~~ of this section, every officer or employee authorized to use a county credit card ~~held by the board or appointing authority~~ shall submit to the board by the first day of each month an estimate of the officer's or employee's work-related expenses ~~listed in division (B)(1) of this section for that month~~ along with the specific appropriation line items from which those expenditures are to be made, unless the board authorizes, by resolution, the officer or employee to submit to the board such an estimate for a period longer than one month. The board may revise the estimate and determine the amount it approves, if any, not to exceed the estimated amount. The board shall certify the amount of its determination to the county auditor along with the specific appropriation line items from which the expenditures are to be made. After receiving certification from the county auditor that the determined sum of money is in the treasury or in the process of collection to the credit of the specific appropriation line items for which the credit card is approved for use, and is free from previous and then-outstanding obligations

or certifications, the board shall authorize the officer or employee to incur debt for the expenses against the county's credit up to the authorized amount.

(2) In lieu of following the procedure set forth in division ~~(E)(1)(F)(1)~~ of this section, a board of county commissioners may adopt a resolution authorizing an officer or employee of an appointing authority to use a county credit card to pay for specific ~~classes of the~~ work-related expenses ~~listed in division (B)(1) of this section~~, or use a specific credit card for ~~any of those work-related expenses listed in division (B)(1) of this section~~, without submitting an estimate of those expenses to the board as required by division ~~(E)(1)(F)(1)~~ of this section. ~~Prior to~~ Before adopting the resolution, the board shall notify the county auditor. The resolution shall specify whether the officer's or employee's exemption extends to the use of a specific credit card, ~~which card shall be identified by its number~~, or to one or more specific work-related uses ~~from the classes of uses permitted under division (B)(1) of this section~~. A new resolution is not necessary when a new credit card number is issued due to fraudulent use of the specified credit card. Before any credit card exempted for specific uses may be used to make purchases for uses other than those specific uses listed in the resolution, the procedures outlined in division ~~(E)(1)(F)(1)~~ of this section must be followed or the use shall be considered an unauthorized use. Use of any credit card under division ~~(E)(2)(F)(2)~~ of this section shall be limited to the amount appropriated and encumbered in a specific appropriation line item for the permitted use or uses designated in the authorizing resolution, or, in the case of a resolution that authorizes use of a specific credit card, for each of the permitted uses listed in ~~division (B) of this section~~ the resolution, but only to the extent the moneys in those specific appropriation line items are not otherwise encumbered.

~~(F)(1)(3)~~ Any time a county credit card approved for use for an authorized amount under division ~~(E)(1)(F)(1)~~ of this section is used for more than that authorized amount, any time a county credit card approved for specific work-related expenses under division (F)(2) of this section is used for other uses, or any time an officer or employee has authority to use a specific card under division (F)(2) of this section but uses a different county credit card, the appointing authority may request the board of county commissioners to authorize after the fact the unauthorized expenditure ~~of any amount charged beyond the originally authorized amount~~ if, upon the board's request, the county auditor certifies that sum of money is in the treasury or in the process of collection to the credit of the appropriate appropriation line item for which the credit card was used, and is free from

previous and then-outstanding obligations or certifications. ~~If the card is used for more than the amount originally authorized and if for any reason that amount expenditure is not authorized after the fact, the county treasury shall be reimbursed for any amount spent beyond the originally authorized amount in the following manner:~~

~~(a) If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond the officer or employee has given to the county to reimburse the county treasury for the amount charged to the county beyond the originally authorized amount.~~

~~(b) If the card is issued to the office of the appointing authority, the appointing authority is liable in person and upon any official bond the appointing authority has given to the county for the amount charged to the county beyond the originally authorized amount as provided in division (H) of this section.~~

~~(2)(G) After making a credit card purchase, the officer or employee shall provide to the county auditor an itemized receipt, in accordance with the policy adopted by the board of county commissioners under division (B) of this section.~~

~~(H) Any time a county credit card authorized for use under division (E)(2) of this section is used for more than the amount appropriated under that division in a manner that is not in accordance with this section or with the policy adopted under division (B) of this section, the county treasury shall be reimbursed for any the amount spent beyond the originally appropriated amount in the following manner not in accordance with this section or with the policy adopted under division (B) of this section, as follows:~~

~~(a)(1) If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond the officer or employee has given to the county for reimbursing the county treasury for any amount charged on the card beyond the originally appropriated amount.~~

~~(b)(2) If the card is issued in the name of the office of the appointing authority, the appointing authority is liable in person and upon any official bond the appointing authority has given to the county for reimbursement for any amount charged on the card beyond the originally appropriated amount reimbursing the county treasury.~~

~~(3)(I) Whenever any officer or employee who is authorized to use a credit card held by the board or the office of any other county appointing authority suspects the loss, theft, or possibility of unauthorized use of the~~

card, the officer or employee shall notify the county auditor and either the officer's or employee's appointing authority or the board immediately and in writing.

~~(4)(J)~~ If the county auditor determines ~~there has been~~ a credit card expenditure ~~beyond the appropriated or authorized amount as provided in division (E) of this section~~ has been used in a manner that is not in accordance with this section or the policy adopted under division (B) of this section, the auditor immediately shall notify the board of county commissioners. ~~When~~ If the board determines, on its own or after notification from the county auditor, that the county treasury should be reimbursed for ~~credit card expenditures beyond the appropriated or authorized amount~~ as provided in ~~divisions (F)(1) and (2)~~ division (H) of this section, ~~if the board~~ shall give written notice to the county auditor and to the officer or employee or appointing authority liable to the treasury as provided in ~~those divisions~~ that division. If, within thirty days after issuance of the written notice, the county treasury is not reimbursed for the amount shown on the written notice, the prosecuting attorney of the county shall recover that amount from the officer or employee or appointing authority who is liable under this section by civil action in any court of appropriate jurisdiction.

~~(G)(K)~~ Use of a county credit card ~~for any use other than those permitted under division (B)(1) of~~ in a manner that is not in accordance with this section or with the policy adopted under division (B) of this section is a violation of section 2913.21 of the Revised Code.

Sec. 303.65. A final judgment on the merits issued by a court of competent jurisdiction pursuant to its power of review under Chapter 2506. of the Revised Code, on claims brought under this chapter, does not preclude later claims for damages, including claims brought under 42 U.S.C. 1983, even if the common law doctrine of res judicata would otherwise bar the claim.

The general assembly intends that this section be construed to override the federal sixth circuit court of appeals's decision in the case Lavon Moore v. Hiram Twp., 988 F.3d 353 (6th Cir. 2021).

Sec. 307.86. Anything to be purchased, leased, leased with an option or agreement to purchase, or constructed, including, but not limited to, any product, structure, construction, reconstruction, improvement, maintenance, repair, or service, except the services of an accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser, by or on behalf of the county or contracting authority, as defined in section 307.92 of the Revised Code, at a