



Ohio Revised Code

Section 5119.42 State aid for community construction programs.

Effective: April 6, 2023

Legislation: House Bill 281

(A) As used in this section, "private, nonprofit organization" means a private association, organization, corporation, or other entity that is tax exempt under section 501(a) and described in section 501(c) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 501.

(B) To the extent funds are available and on application by boards of alcohol, drug addiction, and mental health services, the director of mental health and addiction services may approve state reimbursement of, or state grants for, community construction programs including residential housing for persons with severe mental disabilities and persons with substance use disorders. The director may also approve an application for reimbursement or a grant for such programs submitted by other governmental entities or by private, nonprofit organizations, after the application has been reviewed and recommended for approval or disapproval by the board of alcohol, drug addiction, and mental health services for the district from which the application came, and the application is consistent with the board's approved community addiction and mental health plan submitted under division (A) of section 340.03 of the Revised Code and the board's approved budget and list of addiction services, mental health services, and recovery supports submitted under divisions (A) and (B) of section 340.08 of the Revised Code.

(C)(1) The director of mental health and addiction services shall adopt rules in accordance with Chapter 119. of the Revised Code that specify procedures for applying for state reimbursement of and state grants for community construction programs, including residential housing for persons with severe mental disabilities and persons with substance use disorders and procedures and criteria for approval of such reimbursement and grants.

(2) The director of mental health and addiction services shall not approve state reimbursement or a state grant unless all of the following conditions are met:

(a) The applicant includes with the application a plan specifying the services, in addition to housing, that will be provided to persons who will reside in the residential housing. Services specified may



include any of the services described in section 340.09 of the Revised Code.

(b) The director is satisfied that the residential housing for persons with severe mental disabilities will be developed to promote the maximum practical integration of persons with severe mental disabilities with persons at the same site who do not have severe mental disabilities.

(c) The use of any funds distributed pursuant to the reimbursement or grant will not subject any obligation from which the funds are derived to federal income taxation.

(3) The director may enter into an agreement establishing terms for any reimbursement or grant approved under this division with the organization, board, or other government entity that is the recipient of the reimbursement or grant. Any such agreement is subject to any covenant or agreement pertaining to any obligation issued to provide funds for the reimbursement or grant.