



Ohio Revised Code

Section 6121.03 Public policy of the state.

Effective: January 9, 2021

Legislation: House Bill 264 - 133rd General Assembly

(A) It is hereby declared to be the public policy of the state through the operations of the Ohio water development authority under this chapter to contribute toward one or more of the following:

- (1) To preserve, protect, upgrade, conserve, develop, utilize, and manage the water resources of the state;
- (2) To prevent or abate the pollution of water resources;
- (3) To promote the beneficial use of waters of the state for the protection and preservation of the public health, safety, convenience, and welfare;
- (4) To assist in the financing of waste water facilities and water management facilities for industry, commerce, distribution, and research, including public utility companies;
- (5) To create or preserve jobs and employment opportunities or improve the economic welfare of the people of the state, or to assist and cooperate with governmental agencies in achieving such purposes.

(B) In furtherance of such public policy, the Ohio water development authority may do all of the following:

- (1) Initiate, acquire, construct, maintain, repair, and operate water development projects or cause the same to be operated pursuant to a lease, sublease, or agreement with any person or governmental agency;
- (2) Make loans and grants to governmental agencies for the acquisition, construction, or refinancing of waste water or water management facilities by such governmental agencies and provide for the financing and refinancing of such loans;



(3) Make loans to persons for the acquisition, construction, or refinancing of waste water facilities or water management facilities by such persons;

(4) Issue water development revenue bonds of this state payable solely from revenues, to pay the cost of or refinance such projects, provided that, except for facilities for pollution control or solid waste disposal, no such financing assistance shall be made for facilities to be constructed for the purpose of providing electric or gas utility service to the public.

(C) Any water development project shall be determined by the authority to be consistent with any applicable comprehensive plan of water management approved by the director of environmental protection or in the process of preparation by such director and to be not inconsistent with the standards set for the waters of the state affected thereby by the director of environmental protection. Any resolution of the authority providing for acquiring or constructing such projects or for making a loan or grant for such projects shall include a finding by the authority that such determinations have been made. Determinations by resolution of the authority that a project is a waste water facility or a water management facility under this chapter and is consistent with the purposes of Section 13 of Article VIII, Ohio Constitution, and this chapter shall be conclusive as to the validity and enforceability of the water development revenue bonds issued to finance or refinance such project and of the resolutions, trust agreements or indentures, leases, subleases, sale agreements, loan agreements and other agreements made in connection therewith, all in accordance with their terms.