



Ohio Revised Code

Section 5123.377 Authority to change terms of agreement regarding the construction, acquisition, or renovation of community adult facility.

Effective: October 12, 2016

Legislation: House Bill 483 - 131st General Assembly

(A) As used in this section:

- (1) "Adult services" has the same meaning as in section 5126.01 of the Revised Code.
- (2) "Community adult facility" means a facility in which adult services are provided or a facility associated with the provision of adult services.

(B) The director of developmental disabilities may change the terms of an agreement entered into with a county board of developmental disabilities or a board of county commissioners pursuant to section 5123.36 of the Revised Code or other statutory authority in effect before July 1, 1980, regarding the construction, acquisition, or renovation of a community adult facility if all of the following apply:

- (1) The agreement was entered into during the period beginning January 1, 1976, and ending December 31, 1999.
- (2) The agreement requires the county board or board of county commissioners to use the community adult facility for at least forty years.
- (3) The county board or board of county commissioners submits to the director an application for a change in the agreement's terms that includes all of the following:
 - (a) A statement of intent to close the facility and the anticipated date of closure;
 - (b) The number of individuals with developmental disabilities served in the facility at the time of application;



- (c) Identification of alternative providers of services to be offered to those individuals;
- (d) A commitment and demonstration that those individuals will receive services from the alternative providers;
- (e) A resolution from the county board or board of county commissioners authorizing the application, including a commitment that if the facility is sold, the county board or board of county commissioners will do either of the following:
 - (i) Reimburse the department of developmental disabilities the proceeds of the sale up to the outstanding balance owed under the agreement;
 - (ii) Use the proceeds of the sale for the acquisition of housing for individuals with developmental disabilities that complies with the requirements established by the director.
- (C) Agreement terms that may be changed pursuant to division (B) of this section include terms regarding the length of time the facility must be used as a community adult facility.