

public accountant and not disallowed by the director. 8413

(J) This state reserves the right to refuse the use of this 8414  
state's name in the credits of any tax credit-eligible motion 8415  
picture production. 8416

(K) The director of development shall adopt rules for the 8417  
administration of this section, including rules governing the 8418  
criteria for determining whether a motion picture production is a 8419  
tax credit eligible production, which criteria shall be developed 8420  
by the director in consultation with the tax commissioner; 8421  
expenditures that qualify as eligible production expenditures; the 8422  
form and manner of certifications by transfer agents; 8423  
reimbursement requirements under division (B) of this section; and 8424  
the appeal procedure under division (H) of this section. The rules 8425  
shall be adopted under Chapter 119. of the Revised Code. 8426

**Sec. 122.89.** (A) The director of development may execute 8427  
bonds as surety for minority businesses as principals, on 8428  
contracts with the state, any political subdivision or 8429  
instrumentality thereof, or any person as the obligee. The 8430  
director as surety may exercise all the rights and powers of a 8431  
company authorized by the department of insurance to execute bonds 8432  
as surety but shall not be subject to any requirements of a surety 8433  
company under Title XXXIX of the Revised Code nor to any rules of 8434  
the department of insurance. 8435

(B) The director, with the advice of the minority development 8436  
financing advisory board, shall adopt rules under Chapter 119. of 8437  
the Revised Code establishing procedures for application for 8438  
surety bonds by minority businesses and for review and approval of 8439  
applications. The board shall review each application in 8440  
accordance with the rules and, based on the bond worthiness of 8441  
each applicant, shall refer all qualified applicants to the 8442  
director. Based on the recommendation of the board, the director 8443

shall determine whether or not the applicant shall receive 8444  
bonding. 8445

~~(C) The rules of the board shall provide that the minority 8446  
business, in order to make an application for a bond to the 8447  
director, shall submit documentation, as the director requires, to 8448  
demonstrate either that a minority business shall have been denied 8449  
a bond by two surety companies or that the minority business has 8450  
applied to two surety companies for a bond and, at the expiration 8451  
of sixty days after making the application, has neither received 8452  
nor been denied a bond. 8453~~

~~(D)~~ The rules of the board shall require the minority 8454  
business to pay a premium in advance for the bond to be 8455  
established by the director, with the advice of the board after 8456  
the director receives advice from the superintendent of insurance 8457  
regarding the standard market rates for premiums for similar 8458  
bonds. All premiums paid by minority businesses shall be paid into 8459  
the minority business bonding program administrative and loss 8460  
reserve fund. 8461

~~(E)(D) The rules of the board shall provide for a retainage 8462  
of money paid to the minority business of fifteen per cent for a 8463  
contract valued at more than fifty thousand dollars and for a 8464  
retainage of twelve per cent for a contract valued at fifty 8465  
thousand dollars or less. 8466~~

(E) The penal sum amounts of all outstanding bonds issued by 8467  
the director shall not exceed the amount of moneys in the minority 8468  
business bonding fund and available to the fund under division (B) 8469  
of section 169.05 of the Revised Code. 8470

(F) The superintendent of insurance shall provide such 8471  
technical and professional assistance as is considered necessary 8472  
by the director, including providing advice regarding the standard 8473  
market rates for bond premiums as described under division ~~(D)~~(C) 8474

of this section. 8475

(G) Notwithstanding any provision of the Revised Code to the 8476  
contrary, a minority business may bid or enter into a contract 8477  
with the state or with any instrumentality of the state without 8478  
being required to provide a bond as follows: 8479

(1) For each first contract that a minority business enters 8480  
into with the state or with any particular instrumentality of the 8481  
state, the minority business may bid or enter into a contract 8482  
valued at twenty-five thousand dollars or less without being 8483  
required to provide a bond; 8484

(2) For each second contract that a minority business enters 8485  
into with the state or with any particular instrumentality of the 8486  
state, the minority business may bid or enter into a contract 8487  
valued at fifty thousand dollars or less without being required to 8488  
provide a bond; 8489

(3) For each third contract that a minority business enters 8490  
into with the state or with any particular instrumentality of the 8491  
state, the minority business may bid or enter into a contract 8492  
valued at one hundred thousand dollars or less without being 8493  
required to provide a bond; 8494

(4) For each fourth contract that a minority business enters 8495  
into with the state or with any particular instrumentality of the 8496  
state, the minority business may bid or enter into a contract 8497  
valued at three hundred thousand dollars or less without being 8498  
required to provide a bond; 8499

(5) For each fifth or subsequent contract that a minority 8500  
business enters into with the state or with any particular 8501  
instrumentality of the state, the minority business may bid or 8502  
enter into a contract valued at six hundred thousand dollars or 8503  
less without being required to provide a bond. 8504

(H) Notwithstanding any provision of the Revised Code to the 8505

contrary and except as provided in division (I) of this section, a 8506  
minority business may bid or enter into a contract with any 8507  
political subdivision of the state or with any instrumentality of 8508  
a political subdivision without being required to provide a bond 8509  
as follows: 8510

(1) For each first contract that a minority business enters 8511  
into with any particular political subdivision of the state or 8512  
with any particular instrumentality of a political subdivision, 8513  
the minority business may bid or enter into a contract valued at 8514  
twenty-five thousand dollars or less without being required to 8515  
provide a bond; 8516

(2) For each second contract that a minority business enters 8517  
into with any particular political subdivision of the state or 8518  
with any particular instrumentality of a political subdivision, 8519  
the minority business may bid or enter into a contract valued at 8520  
fifty thousand dollars or less without being required to provide a 8521  
bond; 8522

(3) For each third contract that a minority business enters 8523  
into with any particular political subdivision of the state or 8524  
with any particular instrumentality of a political subdivision, 8525  
the minority business may bid or enter into a contract valued at 8526  
one hundred thousand dollars or less without being required to 8527  
provide a bond; 8528

(4) For each fourth contract that a minority business enters 8529  
into with any particular political subdivision of the state or 8530  
with any particular instrumentality of a political subdivision, 8531  
the minority business may bid or enter into a contract valued at 8532  
three hundred thousand dollars or less without being required to 8533  
provide a bond; 8534

(5) For each fifth or subsequent contract that a minority 8535  
business enters into with any particular political subdivision of 8536

the state or with any particular instrumentality of a political 8537  
subdivision, the minority business may bid or enter into a 8538  
contract valued at six hundred thousand dollars or less without 8539  
being required to provide a bond. 8540

(I) Notwithstanding any provision of the Revised Code to the 8541  
contrary, if a minority business has entered into two or more 8542  
contracts with the state or with any instrumentality of the state, 8543  
the minority business may bid or enter into a contract with a 8544  
political subdivision of the state or with any instrumentality of 8545  
a political subdivision valued at the level at which the minority 8546  
business would qualify if entering into an additional contract 8547  
with the state. 8548

**Sec. 122.94.** The director of the department of development 8549  
shall: 8550

(A) Promulgate rules in accordance with Chapter 119. of the 8551  
Revised Code for the conduct of the minority business development 8552  
division's business and for carrying out the purposes of sections 8553  
122.92 to 122.94 of the Revised Code; 8554

(B) Prepare an annual report to the governor and the general 8555  
assembly on or before the first day of February of its activities 8556  
for the preceding calendar year. ~~In addition to the submissions~~ 8557  
~~required by section 101.68 of the Revised Code, the director shall~~ 8558  
~~submit copies of the annual report to the chairmen of the standing~~ 8559  
~~committees of the senate and house of representatives having~~ 8560  
~~jurisdiction over individuals, small businesses, and small~~ 8561  
~~organizations, as those terms are defined in section 121.24 of the~~ 8562  
~~Revised Code.~~ 8563

**Sec. 123.01.** (A) The department of administrative services, 8564  
in addition to those powers enumerated in Chapters 124. and 125. 8565  
of the Revised Code and provided elsewhere by law, shall exercise 8566