

APPENDIX F

Legal Matrices

This appendix contains three matrices. Each matrix matches the applicability of OCS steps to various entity types. The information in the matrices does not necessarily encompass every item requiring testing for these entities. Additionally, when footnotes in the matrices reference specific sections of the Ohio Rev. Code, you should read those sections when planning and/or conducting the audit.

Matrix 1 lists the following entities:

- Joint mental health districts
- Joint juvenile detention facilities
- Regional planning commissions
- Solid waste districts
- Union cemeteries
- Union cemetery districts
- Airport authorities
- Family and children first councils
- Soil and water districts
- Educational service centers
- Conservancy districts

Matrix 2 lists the following entities:

- Libraries
- Regional water & sewer districts
- General health districts
- Joint recreation districts
- Park districts
- Community and technical colleges
- State colleges and universities
- Joint ambulance districts

Matrix 3 lists the following entities:

- County
- Township
- City
- Village
- Public school districts
- Community schools

Matrix 1

Chapter 1: Budgetary & Certain Related Requirements

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conservancy District
	General Budgetary Requirements				¹				²	1		1
1.	5705.28 Tax budget	✓	✓		✓		✓			✓		✓
2.	5705.281 Waiver of tax budget	✓	✓		✓		✓			✓		✓
3.	5705.34 Certify tax levies	✓	✓		✓		✓			✓		✓
4.	5705.36 Cert. of revenue	✓	✓		✓		✓			✓		✓
5.	5705.36 Amended cert. of est. resources	✓	✓		✓		✓			✓		✓
6.	5705.38 Annual appropriation measure	✓	✓		✓		✓			✓		✓
7.	5705.39 Limitation of appropriations	✓	✓		✓		✓			✓		✓
8.	5705.40 Amending or supplementing appropriations	✓	✓		✓		✓			✓		✓
9.	5705.41(A), (B), (C) and (D) Restrictions on appropriating/expenditure money	✓	✓		✓		✓			✓		✓
10.	5705.41(D) “Blanket” fiscal officer certificates	✓	✓		✓		✓			✓		✓

¹ If these entities levy taxes, the checkmarks noted above apply. However, often they do not levy taxes. When they do not levy taxes, RC Section 5705.28 (B)(2) requires a comparable, but somewhat streamlined budget process. RC 5705.28(B)(2) requires entities to follow RC 5705.36, .38, .40, .41, .43, .44, and .45. However, these entities need not file documents they prepare under sections with the county auditor or county budget commission. Finally, while RC 5705.39 does not apply, RC 5705.28(B)(2)(c) prohibits appropriations from exceeding estimated revenue (i.e. receipts + beginning unencumbered cash).

² RC 5705 does not apply. However, RC 121.37(B)(4) requires the council to file an annual budget with its administrative agent.

Matrix 1

Chapter 1: Budgetary & Certain Related Requirements (continued)

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conservancy District
	General Budgetary Requirements											
11.	9.34 Establish different fiscal year-ends for entities other than schools	✓	✓		✓		✓			✓		✓
20.	5705.02 Ten Mill limitations	✓	✓		✓		✓			✓		✓
21.	5705.09 Establish funds	✓	✓		✓		✓			✓		✓
22.	5705.10 Distribution of levy revenue	✓	✓		✓		✓			✓		✓
23.	5705.12 Approval to establish funds	✓	✓		✓		✓			✓		✓
24.	5705.14-.16 Transfer funds	✓	✓		✓		✓			✓		✓
25.	Various 5705 Sections & AOS Bulletin 97-003 – Advances ³	✓	✓		✓		✓			✓		✓
6.	5705.13 Reserve Accounts & Funds	✓	✓		✓		✓			✓		✓

³ Bulletin 97-03 applies to entities subject to RC 5705. This Bulletin describes the AOS' position regarding using transfers to advance / loan money from one fund to another.

Matrix 1

Chapter 2: Contracts and Expenditures

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conservancy District
	General											
23.	153.50, 153.51, 153.52 Bids and contracts for buildings/structures ⁴							✓		✓		✓
24.	4115.04, 4115.05 Prevailing wage		✓	✓	✓	✓	✓	✓		✓	✓	✓
25.	9.314 Reverse Internet auction in lieu of sealed bids	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
27.	9.24 Unresolved Findings for Recovery	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Not in OCS	Other bidding requirements⁵											
	340.04 Jt. Mental Health District ⁶	✓										
	713.23 Regional Planning Comm. ⁷			✓								
	308.13 Airport competitive bidding							✓				
	121.37(B)(4) FCFC competitive bidding ⁸								✓			
	1515.08(H) Soil & Water District competitive bidding									✓		
	6101.16 Conservancy district competitive bidding											✓

⁴ These sections apply if the entity is required to bid in the circumstances listed under footnote 7, **Other bidding requirements**.

⁵ The OCS does not include descriptions or recommended tests for the **Other bidding requirements** listed, but auditors should refer to these RC sections and test them if material procurement occurred.

⁶ For joint mental health districts, bidding is not required, but the board should establish a contract review process. See ORC § 340.03(A)(6)(a).

⁷ When a regional planning commission enters into a purchase contract on behalf of a political subdivision, it shall follow the competitive bidding procedures in ORC § 307.86-.92. (OCS step 2-5 includes a summary of RC 307.86.)

⁸ Agreements and contracts a council's administrative agent enters into for the purchase of family and child welfare or child protection services or other social or human services for families and children are exempt from the competitive bidding requirements of § 307.86, if the FCFC council approved them. Please see § 121.37(B)(4)(a) for further details.

Matrix 1

Chapter 3: Debt⁹

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conservancy District
1.	133.22 Leg. auth. anticip. securities		✓		✓						✓
1.	133.24 Tax anticipation notes		✓		✓						✓
1.	5705.03 Auth. to levy taxes ¹⁰	✓	✓		✓	✓					✓
1.	5705.05 Gen. levy for current exp.	✓	✓			✓					
1.	5705.09 Est. of funds	✓	✓			✓					
1.	5705.10 Disp. and use of tax rev.	✓	✓			✓					
1.	321.34 Advance payments to local authorities ¹¹										
2.	133.10 Anticipation securities		✓		✓						✓
4.	17 CFR § 240.15c2-12 Municipal securities ¹²	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

⁹ If the entity has a specific Ohio Rev. Code Section that refers to its ability to issue bonds, notes or anticipatory securities, that section takes precedence if there was a conflict between it and the general debt provisions in Chapter 133.

¹⁰ For solid waste districts and conservancy districts, the only parts of ORC 5705.03 that apply are those sentences referring to a “taxing unit.”

¹¹ If any entity receives money from that county and the county is holding this money on behalf of the entity, the entity may ask for an advance.

¹² The term *Municipal Security* refers to any local government security, not just those municipalities issue, pursuant to 15 U.S.C. § 78c(a)(29).

Matrix 1

Chapter 4: Accounting and Reporting

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conser-vancy District
	Accounting & Reporting Chapter											
1.	OAC 117-2-03(B) GAAP Financial Reporting										✓	
5.	OAC 117-2-02 Required accounting records	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Note: ESCs are the only entities on this matrix required to follow GAAP. However for all entities listed on this matrix, auditors and financial statement preparers should read the guidance in the introduction to Chapter 4 regarding AOS Bulletin 2005-02.

Matrix 1

Chapter 5: Deposits and Investments

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conservancy District
	Subdivisions Other Than Counties											
1 through 3	135.14 Eligible investments of interim monies	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
4.	135.18 & 135.181 Collateral for public deposits	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
5.	135.21 Crediting invest. earnings	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
5.	135.351 Crediting interest	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
5.	5705.10 Disposition of tax revenues and proceeds	✓	✓				✓					
6. Through 9.	(Airports follow county investing requirements per RC 308.12.)							✓				

Matrix 1

Chapter 6: Other Potentially Direct and Material Laws and Regulations

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conservancy District
1.	9.833 Health care self-insurance	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2.	2744.081 Liability self-insurance	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Matrix 1

Chapter7: Checklist for Other Laws and Regulations

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conser-vancy District
	Contracting & Purchasing											
2.	Various – use of government credit/purchasing cards, cell phones, government-owned equipment, etc.)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
3.	Various – travel reimbursements (including “frequent flyer miles” accruals/ usage)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Accounting and Reporting											
5.	117.38 Filing of financial reports	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
6.	9.38 Deposits of public money	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
7.	121.22 Meeting of public bodies	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
8.	149.43 Availability of public records	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Payroll Taxes											
25.	Federal, state and local taxes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
26.	Employees' retirement system	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Deposits and Investments											
31.	135.03, .32, etc. designating depositories etc.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
32.	135.22, 321.46 investment education	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Matrix 1

Chapter 7: Checklist for Other Laws and Regulations (continued)

Step No.	Requirement	Joint Mental Health District	Jt. Juv. Detention Facility	Regional Planning Comm'n	Solid Waste District	Union Cemetery	Union Cemetery District	Airport Authority	FCFCC	Soil and Water District	ESC	Conservancy District
	Fraud, Abuse, and Illegal Acts; Conflict of Interest; Ethics											
33.	1979 Op. Atty Gen. No. 79-111 Prohibitions from holding office	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
33.	Various fraud, abuse and illegal act provisions ¹³											
	Prohibited Political Activity											
34.	Various ¹⁶											
	Bonding Requirements											
35.	2151.70 Jt. Juv. Detention Facility		✓									
35.	759.36 Union Cemetery District ¹⁴						✓					
35.	308.12 Airport Authority ¹⁵							✓				
35.	1515.07 Soil & Water District									✓		
35.	6101.12 Conservancy District ¹⁶											✓
	Other Special Entity Requirements											
43.	121.37(B)(1) Establishment and membership on Family and Children First Councils								✓			
44.	121.37(B)(4) Administrative Agent								✓			
45.	4767.03 Registering cemeteries with the Department of Commerce					✓	✓					

¹³ Some provisions of these OCS Sections have general applicability while others do not. Also, other requirements may apply. Auditors should be alert for circumstances which raise questions about whether such activity has occurred and seek legal counsel when questionable activity is noted.

¹⁴ The clerk-treasurer shall be bonded in an amount equal to or greater than the cemetery fund, but not less than \$1,000.

¹⁵ The secretary-treasurer shall be bonded in an amount required by the board.

¹⁶ For Conservancy Districts, the board may require any officer or employee to give bond and the board may determine the amount.

Matrix 2

Chapter 1: Budgetary & Certain Related Requirements

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
	General Budgetary Requirements			17	18		18					18	19
1.	5705.28 Tax budget			✓		✓	✓	✓		✓	✓	✓	
2.	5705.281 Waive tax budget			✓		✓	✓	✓		✓	✓	✓	
3.	5705.34 Certify tax levies			✓		✓	✓	✓		✓	✓	✓	
4.	5705.36 Cert. of revenue			✓		✓	✓	✓		✓	✓	✓	
5.	5705.36 Amended cert. est res.			✓		✓	✓	✓		✓	✓	✓	
6.	5705.38 Annual appropriations	20		✓		✓	✓	✓		✓	✓	✓	

¹⁷ If these entities levy taxes, the checkmarks apply. However, often they do not levy taxes. When they do not levy taxes, RC Section 5705.28 (B)(2) requires a comparable, but somewhat streamlined budget process. RC 5705.28(B)(2) requires entities to follow RC 5705.36, .38, .40, .41, .43, .44, and .45. However, documents prepared in accordance with these sections need not be filed with the county auditor or county budget commission. Also, while RC 5705.39 does not apply, RC 5705.28(B)(2)(c) prohibits appropriations from exceeding estimated revenue (i.e. receipts + beginning unencumbered cash).

¹⁸ ORC § 3709.28 establishes budgetary requirements for General Health Districts, which are similar to certain ORC Chapter 5705 budgetary requirements. On or about the first Monday of April the district must adopt an itemized appropriation measure. The appropriation measure, together with an itemized estimate of revenues to be collected during the next fiscal year, shall be certified to the county budget commission. Subject to estimated resources, the board of health may, by resolution, transfer funds from one appropriation item to another, reduce or increase any item, create new items, and make additional appropriations or reduce the total appropriation. Such appropriation modifications shall be certified to the county budget commission for approval.

You should cite ORC § 3709.28 if a General Health District: (1) does not adopt an itemized appropriation; (2) does not itemize estimated resources; or (3) appropriates more than its estimated resources as submitted to the county budget commission. Cite RC 5705.41(D) if a general health district: (1) disburses or encumbers more than appropriations at the legal level of control, or (2) obligates district moneys without the certification that section requires.

RC § 5705.28(C)(1) requires general health districts to file an estimate of contemplated revenue and expenses with the municipalities and townships within the district. They must file this by about June 1 (forty-five days prior to July 15). The county auditor cannot allocate property taxes from the municipalities and townships within the district if such filing has not been made (1984 Op. Atty. Gen. No. 84-013).

¹⁹ ORC Chapters 1724 and 1726 apply to community improvement corporations (CICs) and development corporations (DCs), respectively. Other than financial reporting (see OCS Chapter 4) the OCS does not include requirements generally considered to be direct and material. When auditing these entities, auditors should review the entity's articles of incorporation, by-laws, and contract, grant and debt agreements, to determine whether potentially direct and material requirements apply.

Matrix 2

Chapter 1: Budgetary & Certain Related Requirements (continued)

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
7.	5705.39 Limitation of appropriations			✓		✓	✓	✓		✓	✓	✓	
8.	5705.40 Amending or supplementing appropriations			✓		✓	✓	✓		✓	✓	✓	
9.	5705.41(A), (B), (C) and (D) Restrictions on appropriating/expenditure money	²¹		✓	²²	✓	✓	✓		✓	✓	✓	
10.	5705.41(D) "Blanket" fiscal officer certificates			✓	✓	✓	✓	✓		✓	✓	✓	
11.	9.34 Establish different fiscal year-ends for entities other than schools			✓		✓	✓	✓		✓	✓	✓	
	Additional Public Library Requirements												
17.	5705.23 Special levy	✓											
18.	5705.28 Tax budgets	✓											
19.	5705.281 Waiver of tax budget submission requirement	✓											
	Generic Requirements of Revenue, Funds and Transfers												
20.	5705.02 Ten mill limitations			✓		✓	✓	✓		✓	✓	✓	
21.	5705.09 Establish funds			✓		✓	✓	✓		✓	✓	✓	
22.	5705.10 Distribution of levy revenue			✓		✓	✓	✓		✓	✓	✓	
23.	5705.12 Approval to establish funds			✓		✓	✓	✓		✓	✓	✓	

²⁰ Ohio Administrative Code Section 117-8-02 requires libraries to appropriate annually, and prohibits expending more than appropriated. Auditors should also consider reportable internal control conditions if libraries do not base appropriations on reasonable estimates of available resources.

²¹ OAG 82-056 concluded that a board of public library trustees deriving funds from two or more subdivisions is therefore a district authority, subject to ORC 5705.41.

²² The only part of ORC § 5705.41 that does not apply to a general health district is § 5705.41(A). Instead, ORC 3709.28 applies to health districts. See related footnote on preceding page.

24.	5705.14-.16 Transfer funds				✓		✓	✓	✓	✓	✓	✓	✓	✓
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Matrix 2

Chapter 1: Budgetary & Certain Related Requirements (continued)

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
25.	Various 5705 Sections & AOS Bulletin 97-003 – Advances ²³			✓		✓	✓	✓		✓	✓	✓	
26.	5705.13 Reserve Accounts & Funds			✓		✓	✓	✓		✓	✓	✓	
	Add'l College Requirement												
29.	3354.10(A), 3357.10, 3358.06, 5705.41(D) Treas. fiscal certificate							✓	✓				

²³ Bulletin 97-03 applies to entities subject to RC 5705. This Bulletin describes the AOS' position on using transfers to advance / loan money from one fund to another.

Matrix 2

Chapter 2: Contracts and Expenditures

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
	Colleges and Universities												
20.	3354.16, 3357.16 Bidding on improvement contracts							✓					
	Libraries												
21.	3375.41 Contracts over \$25,000	✓											
	General												
23.	153.50, 153.51, 153.52 Bids and contracts for buildings/structures ²⁴	✓		✓				✓	✓		✓		
24.	4115.04, 4115.05 Prevailing wage	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
25.	9.314 Reverse Internet auction in lieu of sealed bids	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
27.	9.24 Unresolved Findings for Recovery	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	
	Other ²⁵												
n/a	167.08 Councils of government: contracts for services to political subdivisions		✓										
n/a	6119.10 Regional water and sewer district: competitive bidding			✓									
n/a	3709.08, 3709.081, 3709.085 General health district contracting provisions				✓								
n/a	1545.09 Park district: contracting procedures required in bylaws						✓						

²⁴ These sections are applicable if the entity is required to bid.

²⁵ These sections are not included in the OCS, but auditors should test if material activity occurred.

Matrix 2

Chapter 2: Contracts and Expenditures

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
n/a	505.72 Gen. contracting procedures									✓			
n/a	505.42 Contracts ²⁶										✓		
n/a	4582.12 Competitive Bidding ²⁷											✓	

²⁶ Joint fire districts are subject to contracting provisions in ORC §§ 731.14 (\$25,000 bidding threshold) to 731.16.

²⁷ In addition to RC 4582.12 bidding requirements, note that port authorities need not bid for the lease, sale or lease with an option to purchase certain land and equipment. See ORC Section 4582.06(F)(1).

Matrix 2

Chapter 3: Debt²⁸

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
1.	133.22 Leg. auth. Anticipation securities			✓		✓	✓	✓	✓	✓	✓		
1.	133.24 Tax anticipation notes ²⁹			✓		✓	✓	✓		✓	✓		
1.	5705.03 Auth. to levy taxes ³⁰			✓		✓	✓	✓		✓	✓	✓	
1.	5705.05 Gen. levy for current exp.					✓		✓		✓	✓	✓	
1.	5705.09 Est. of funds					✓		✓		✓	✓		
1.	5705.10 Disp. and use of tax rev.					✓		✓		✓	✓	✓	
2.	133.10 Anticipation securities	✓ ³¹		✓		✓	✓	✓	✓	✓	✓	✓	
3.	3375.404 Additional borrowing authority (Libraries)	✓											
4.	17 CFR § 240.15c2-12 Municipal securities ³²	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
5.	505.401 Additional borrowing authority (Fire Districts)										✓		

²⁸ If the entity has a specific section that refers to its ability to issue bonds, notes or anticipatory securities, that section would supersede the general debt provisions in Chapter 133.

²⁹ For state universities, under ORC § 3345.66, they can issue notes, and this section states that Chapter 133 does not apply. However, if issuing bonds, Chapter 133 applies.

³⁰ For regional water and sewer districts and park districts, the only parts of ORC § 5705.03 that apply are those sentences referring to a “taxing unit.”

³¹ County Library districts and regional library districts must follow ORC 133. For all other libraries, only parts (A) and (B) of ORC 133.10 apply.

³² The term *Municipal Security* refers to any local government security, not just those municipalities issue.

Matrix 2

Chapter 4: Accounting and Reporting

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
	Accounting and Reporting Chapter												
2.	ORC 1724.05 & 1726.11; Annual Reporting												✓
5.	OAC 117-2-02 Required accounting records	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

Note: Community improvement corporations and development corporations are the only entities on this matrix required to follow GAAP. However for all entities listed on this matrix, auditors and financial statement preparers should read the guidance in the introduction to Chapter 4 regarding AOS Bulletin 2005-02.

Matrix 2

Chapter 5: Deposits and Investments

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
	Subdivisions Other Than Counties		33	34				35					
1 through 3	135.14 Eligible investments of interim monies	✓				✓	✓			✓	✓	✓	
4.	135.18 & 135.181 Security for repayment of public deposits	✓		✓		✓	✓ ³⁶			✓	✓	✓	
5.	135.21 Crediting invest. earnings	✓				✓	✓ ³⁷			✓	✓	✓	
5.	5705.10 Disposition of tax revenues and proceeds					✓				✓	✓	✓	
8.	135.37 Security for county deposits						✓						

³³ While not subject to RC 135, RC § 167.04 requires a council of government's bylaws to address investing, depositing and disbursing funds.

³⁴ For regional water and sewer districts, ORC § 6119.16 addresses investing funds and crediting interest.

³⁵ RC 3354.10(A) and 3357.10 prescribe depository and security requirements for community and technical colleges.

³⁶ If a park district appoints a treasurer, then ORC §§ 131.18 and 131.181 may apply. If a treasurer is not appointed, two things could happen:
a. The board can resolve to select a depository per ORC 135.01-135.21, in which case 135.18 or 135.181 apply (OCS step 5-4); or
b. If board resolutions are silent on this matter, the district must follow the procedures for county funds, which is ORC § 135.37 (OCS step 5-8)

³⁷ If a park district appoints a treasurer, ORC § 135.21 applies. If a park district does not appoint a treasurer, ORC § 135.351 applies. ORC § 135.351 requires park districts to credit interest as provided in ORC § 1545.22.

Matrix 2

Chapter 6: Other Potentially Direct and Material Laws and Regulations

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
1.	9.833 Health care self-insurance	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	
2.	2744.081 Liability self-insurance	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

Matrix 2

Chapter 7: Checklist for Other Laws and Regulations

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	DC & CIC
	Contracting and Purchasing												
2.	Various – use of government credit/ purchasing cards, cell phones, government-owned equipment, etc.)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
3.	Various – travel reimbursements (including “frequent flyer miles” accruals/ usage)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Accounting and Reporting												
5.	117.38 Filing financial reports	✓	✓	✓	✓	✓	✓	✓	³⁸	✓	✓	✓	✓
6.	9.38 Deposits of public money	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
7.	121.22 Meeting of public bodies	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
8.	149.43 Availability of public records	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Libraries												
21.	3375.36 Statements; depository	✓											
	Payroll Taxes												
25.	Federal, state and local taxes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
26	Employees' Retirement Sys.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

³⁸ RC 3345.72(b) requires state universities and colleges to submit annual financial reports to the Auditor of State within 4 months after the end of the fiscal year (see Auditor of State Bulletin 2001-012).

Matrix 2

Chapter 7: Checklist for Other Laws and Regulations (continued)

Step No.	Requirement	Library	Council of Gov't	Regional Water & Sewer	General Health District	Joint Rec. District	Park District	Comm. & Technical College	State Colg./ Univ.	Joint Amb. Dist.	Joint Fire Dist.	Port Auth.	CDC & CIC
	Compensation Requirements												
7-30	Compensation, etc.							✓	✓				
	Deposits and Investments												
31.	135.22 Eligible deposits, etc. ³⁹	✓				✓	✓		✓	✓		✓	
32.	135.22, 321.46 investment education	✓				✓	✓		✓	✓		✓	
	Fraud, Abuse, and Illegal Acts; Conflict of Interest; Ethics												
33.	1979 Op. Atty Gen. No. 79-111 Prohibitions from holding office	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
33.	Various ⁴⁰												
	Prohibited Political Activity												
34.	Various ⁴⁰												
	Bonding Requirements⁴¹												
35.	1545.05 Park commission						✓						
35.	3375.32 Library clerk	✓											
35.	505.71 Joint ambulance district									✓			
35.	505.372 Joint fire district clerk										✓		

³⁹ If the treasurer of an entity invests under ORC § 135.14, the training requirements in ORC § 135.22 may apply.

⁴⁰ Some of the provisions of this OCS Section have general applicability while others do not. Also, other requirements may apply. Auditors should be alert for circumstances which raise questions about whether such activity has occurred and seek legal counsel when questionable activity is noted.

⁴¹ For park districts, the bond amount is \$5,000. For libraries, joint ambulance districts and joint fire districts, the board determines the clerk's bond amount. Each university's ORC section prescribes its bonding requirements.

Matrix 3

OCS Section	Description	County	Township	City	Village	School	Community School
1-1	ORC 5705.28: Adoption of tax budget	✓	✓	✓	✓	✓	
1-2	ORC 5705.281: Waiver of tax budget submission requirement	✓	✓	✓	✓	✓	
1-3	ORC 5705.34: Certification of tax levies	✓	✓	✓	✓	✓	
1-4	ORC 5705.36: Certification of available revenue	✓	✓	✓	✓	✓	
1-5	ORC 5705.36: Amended certificates of estimated resources	✓	✓	✓	✓	✓	
1-6	ORC 5705.38: Annual appropriation measure	✓	✓	✓	✓	✓	
1-7	ORC 5705.39: Appropriations limited by estimated resources	✓	✓	✓	✓	✓	
1-8	ORC 5705.40: Amending or supplementing appropriations	✓	✓	✓	✓	✓	
1-9	ORC 5705.41 (A)(B)(C) and (D): Restrictions on the appropriation/expd. of money	✓	✓	✓	✓	✓	
1-10	ORC 5705.41 (D): "Blanket" fiscal officer certificates	✓	✓	✓	✓	✓	
1-11	ORC 9.34: Establishing different fiscal year ends for subdivisions other than school districts or a county school financing district	✓	✓	✓	✓		
1-12	ORC 118: Fiscal watch or fiscal emergency for a municipal corporation, county or township	✓	✓	✓	✓		
1-13	ORC 5705.391: School Boards and community schools to adopt spending plan					✓	✓
1-14	ORC 5705.412: Restriction upon school district expenditures					✓	
1-15	ORC 3315, 3317; 5705.29(F); Admin. Code 3301-92; and 117-2: Textbook and, capital reserve accounts					✓	

Matrix 3

OCS Section	Description	County	Township	City	Village	School	Community School
1-15(A)	ORC 5705.29 (F); Admin. Code § 3301-92-03 and; Temp. Law, Section 4, Senate Bill No. 345 of the 123rd General Assembly: Budget reserve accounts (FY 2002 and later)					✓	
1-16	ORC 3316.03: School district fiscal caution/watch/emergency					✓	
1-20	ORC 5705.02: Ten-mill limitation	✓	✓	✓	✓	✓	
1-21	ORC 5705.09: Establishing funds	✓	✓	✓	✓	✓	
1-22	ORC 5705.10: Distributing revenue derived from tax levies, etc.	✓	✓	✓	✓	✓	
1-23	ORC 5705.12: Permission to establish funds	✓	✓	✓	✓	✓	
1-24	ORC 5705.14, 5705.15, 5705.16: Transfer of funds	✓	✓	✓	✓	✓	
1-25	Auditor of State Bulletin 97-003, and various ORC Sections: Advances	✓	✓	✓	✓	✓	
1-26	ORC 5705.13 (A): Reserve balance accounts and funds	✓	✓	✓	✓	✓	
1-27	ORC 5101.144: Use of Children Services Fund for all such receipts	✓					
1-28	ORC 339.06: Organization of board of trustees; funds; administrator (hospitals)	✓					

Matrix 3

OCS Section	Description	County	Township	City	Village	School	Community School
2-1	ORC 715.18, 731.14, 731.141, 735.05, 735.051, 735.052, and 735.053: Municipal contracts			✓	✓		
2-2	ORC 731.16, 735.07: Altering or modifying municipal contracts			✓	✓		
2-3	ORC 117.16(A), 723.52 – Force Accounts [Certain] Municipal Corporations [Cities/Villages]			✓	✓		
2-4	ORC 305.30: Responsibilities of the county administrator	✓					
2-5	ORC 319.16, 307.86, and 9.37 County payments to be by auditor's warrant; Competitive bidding	✓					
2-6	ORC 117.16(A), 5543.19 – Force Accounts – Counties	✓					
2-7	ORC 505.08, 505.101, 505.42, 505.46, 507.11(B), 511.12, 515.01, 5549.21, 5575.01, and 2000 Op. Atty. Gen. No. 2000-19: Township expenditures		✓				
2-8	ORC 117.16(A), 5575.01 – Force Accounts – Townships		✓				
2-9	ORC 3313.33: Conveyances and contracts					✓	
2-10	ORC 3313.46: Procedures for bidding and letting of contracts					✓	
2-11	ORC 3313.37 and .375: Acquisition of school real estate, building, equipment					✓	✓ ⁴²

⁴² RC 3313.37 does not apply to community schools. RC 3313.375 does apply to community schools.

Matrix 3

OCS Section	Description	County	Township	City	Village	School	Community School
2-12	ORC Chapter 3318: Permissible expenditures for school districts participating in the Classroom Facilities Loan Program (and related classroom facility programs)					✓	
2-13	ORC 3318.35: Permissible expenditures for school districts participating in the Emergency Repair Program and, the required funds to account for the activity					✓	
2-14	ORC 3318.35: Temporary Law; School Building Assistance Limited Fund for the Big 8 school districts					✓	
2-15	ORC 3327.08: School bus purchases					✓	✓
2-16	Community School Bidding Requirements						✓
2-17	ORC 3314.034(A) E-school leases for instructional space						✓
2-18	ORC 339.05: County hospital bidding procedures and purchasing policies for supplies/equipment	✓					
2-19	ORC 749.26, 749.27, 749.28, 749.29, 749.30, and 749.31: Municipal hospital contract procedures			✓			
2-22	ORC 9.48: Joint contracting and purchasing programs for counties and townships	✓	✓				
2-23	ORC 153.50, 153.51, 153.52: Bids and contracts for buildings/structures	✓	✓	✓	✓	✓	
2-24	ORC 4115.04, 4115.05: Prevailing wage rates	✓	✓	✓	✓		
2-25	ORC 9.314: Reverse Internet auction in lieu of sealed bids (all political subdivisions)	✓	✓	✓	✓	✓	
2-26	ORC 117.16(A), 723.52, 5543.19, 5575.01 – Force Accounts	✓	✓	✓	✓		
2-27	ORC 9.24 Unresolved Findings for Recovery	✓	✓	✓	✓	✓	✓

Matrix 3

OCS Section	Description	County	Township	City	Village	School	Community School
3-1	Ohio Const. Art. XII, Section 11; Ohio Const. Art. XVIII, Section 12, ORC 133.10, 133.22 133.24, 321.34, 5705.03, 5705.05, 5705.09 and 5705.10; 1981 Op. Atty Gen. No. 81-035: Retiring Debt	✓	✓	✓	✓	✓	
3-2	ORC 133.10, 133.22 & 133.24: Anticipation Notes	✓	✓	✓	✓	✓	
3-4	17 C.F.R. § 240.15c2-12: Issuing Municipal Securities	✓	✓	✓	✓	✓	
3-6	ORC 3314.08(J): Community School Facility Anticipation Notes						✓
3-7	ORC 3318.50(B); School Classroom Facilities Loan Guarantee Program						✓
3-8	ORC 3314.30 Community school revolving loan program						✓
4-1	OAC 117-2-03 (B): GAAP Financial Reporting (counties, cities, school districts, and community schools)	✓		✓		✓	✓
4-3	ORC 3314.024 Footnote disclosure of management company expenses						✓
4-4	ORC 117.111(A) Security controls over counties' electronic records	✓					
4-5	OAC 117-2-02 Required accounting records	✓	✓	✓	✓	✓	✓

OCS Section	Description	County	Township	City	Village	School	Community School
5-1	ORC 135.14, 133.03(A)(1): Eligible investments for interim monies		✓	✓	✓	✓	
5-2	ORC 135.14, 133.03(A)(1): Other requirements		✓	✓	✓	✓	
5-3	ORC 135.142, 135.14(B)(7): Other allowable investments		✓	✓	✓	✓	
5-4	ORC 135.18, 135.181: Security for repayment of public deposits		✓	✓	✓	✓	
5-5	Article XII, Section 5a, Ohio Constitution; ORC 135.21, 135.351 and 5705.10; 1982 Op. Atty. Gen. No. 82-031 and 7 CFR Part 210.02, 210.2, 210.5 and 210.14(a): Allocating interest among funds		✓	✓	✓	✓	
5-6	ORC 135.34, 135.341: Investment advisory committee	✓					
5-7a	ORC 135.35: Eligible investments	✓					
5-7b	ORC 135.35: Other requirements	✓					
5-8	ORC 135.37: Security for repayment of public deposits	✓					
5-9	Article XII, Section 5a, Ohio Constitution; ORC 135.21, 135.351 and 5705.10; 1982 Op. Atty. Gen. No. 82-031: Allocation of interest among funds	✓					
5-10	Community School Investments						✓
6-1	ORC 9.833: Health Care Self Insurance	✓	✓	✓	✓	✓	✓
6-2	ORC 2744.081: Liability Self Insurance	✓	✓	✓	✓	✓	✓
6-3	OAC 3745-27-15 through 18: Landfill Certifications	✓	✓	✓	✓		
6-4	ORC 5735.29 Fuel excise taxes—“supplement, not supplant” requirement	✓	✓	✓	✓		
6-5	ORC 3317.03, OAC 3301-51-13: School District Average Daily Membership					✓	
6-6	OAC 3301-61-16 Vocational Education Funding					✓	✓
6-7	ORC 3314.03(11)(b): Community School Liability insurance						✓
6-8	ORC 3314.08(G): Community School Tuition						✓
6-9	ORC 3314.02(E): Governing authority						✓
6-10	ORC 3314.03 Sponsor monitoring of community schools						✓
6-11	ORC 505.24(C) Allocating trustee per diem costs to funds		✓				

OCS Section	Description	County	Township	City	Village	School	Community School
7-1	ORC 307.93(G), 341.25, 753.22, and 2301.57: Establishment and accounting treatment of Commissaries	✓		✓	✓		
7-2	Misc. local legislative body policies; charter requirements (for use of cell phones, government credit cards and purchasing cards, and government-owned vehicles and equipment)	✓	✓	✓	✓	✓	✓
7-3	Misc. local legislative body policies; charter requirements; Ohio Ethics Commission Advisory Opinion No. 91-010; Ohio Rev. Code Sections 102.03(D) and (E), 2921.42(A)(4), and 2921.43(A) (travel reimbursements; “frequent flyer miles” accrual/usage)	✓	✓	✓	✓	✓	✓
7-4	ORC 301.27, 301.29 County credit and procurement cards	✓					
7-5	ORC 117.38: Filing of financial reports (other than state agencies)	✓	✓	✓	✓	✓	✓
7-6	ORC 9.38: Deposits of public money	✓	✓	✓	✓	✓	✓
7-7	ORC 121.22: Meeting of public bodies to be open, exceptions, and notice	✓	✓	✓	✓	✓	✓
7-8	ORC 149.43: Availability of public records	✓	✓	✓	✓	✓	✓
7-9	ORC 2335.25: Cashbook of costs etc	✓					
7-10	ORC 2303.12: Books to be kept by clerk of the court of common pleas	✓					
7-11	ORC 2101.12: Records to be kept by the probate courts	✓					
7-12	ORC 2335.34 - .35: Unclaimed costs and fees (court of common pleas and probate court)	✓					
7-13	ORC 2151.18: Records; annual report; distribution (juvenile court)	✓					
7-14	ORC 1907.20: Records required of county courts	✓					
7-15	ORC 1901.31-.32: Municipal court records	✓		✓			
7-16	ORC 1905.21 and 733.40: Records required and disposition of receipts for mayor’s court			✓	✓		

Matrix 3

OCS Section	Description	County	Township	City	Village	School	Community School
7-17	Various ORC Sections: Collection, custody and disbursement of fees, fines	✓		✓	✓		
7-18	ORC 2743.70, 2949.091: Additional court costs	✓		✓	✓		
7-19	Various ORC Sections: Fines and penalties to be paid to law libraries	✓		✓	✓		
7-20	ORC 2113.64, 2113.65: Unclaimed money (probate court)	✓					
7-22	ORC 319.04: Training and continuing education requirements for county auditors	✓					
7-23	ORC 319.11: County financial reports	✓					
7-24	ORC 517.15: Permanent cemetery endowment fund		✓				
7-25	Various federal and state codes: Income tax collection, liability etc	✓	✓	✓	✓	✓	✓
7-26	Various ORC sections: Definitions, rates of contributions etc	✓	✓	✓	✓	✓	✓
7-27	ORC 505.60 and 505.601: Reimbursement of insurance premiums – Townships		✓				
7-28	ORC 505.603 - “Cafeteria Plans” – Townships		✓				
7-29	Various ORC sections: Vacation and sick leave benefits	✓	✓	✓	✓	✓	
7-30	Various ORC sections: Appointments, compensation, contracts etc	✓	✓	✓	✓	✓	
7-31	Various ORC sections: Designating depositories	✓	✓	✓	✓	✓	

OCS Section	Description	County	Township	City	Village	School	Community School
7-32	ORC 135.22, 321.46: Education requirements	✓	✓	✓	✓	✓	
7-33	Various ORC Sections: Fraud, Abuse, and Illegal Acts; Conflict of Interest; Ethics	✓	✓	✓	✓	✓	✓ ⁴³
7-34	ORC 124.57, 124.59, 124.61, 3315.07(C): Political activities prohibited	✓	✓	✓	✓	✓	
7-35	Various ORC Sections: Bonding requirements	✓	✓	✓	✓	✓	✓
7-36	ORC 325.071, 325.12: Furtherance of justice allowance	✓					
7-37	ORC 325.07: Sheriff's transportation of prisoners allowance	✓					
7-38	ORC 2301.35 (H)(1): Child support fees	✓					
7-39	Various ORC Sections: Electric kilowatt-hour tax	✓		✓	✓		
7-40	Various ORC and OAC Sections: School licensing requirements					✓	✓
7-41	ORC 3313.291 - School District Petty Cash Accounts					✓	
7-42	ORC 3314.03(A) Community School Tax Status						✓

⁴³ Most provisions described in 7-33 apply to community schools; except RC 3329.10 does not apply.