

I_133_0958-3

133rd General Assembly
Regular Session
2019-2020

Sub. H. B. No. 444

A BILL

To amend sections 3.061, 3.30, 9.65, 165.01, 1
165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 2
517.27, 715.82, 742.33, 742.34, 1545.05, 3
2151.70, 2152.42, 3721.15, 3735.27, 4503.03, 4
4765.43, 5153.13, 5571.16, 5705.19, and 5705.25 5
of the Revised Code to make various changes to 6
township law. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3.061, 3.30, 9.65, 165.01, 8
165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 517.27, 715.82, 9
742.33, 742.34, 1545.05, 2151.70, 2152.42, 3721.15, 3735.27, 10
4503.03, 4765.43, 5153.13, 5571.16, 5705.19, and 5705.25 of the 11
Revised Code be amended to read as follows: 12

Sec. 3.061. (A) As used in this section: 13

(1) "Political subdivision" means a county, township, 14
municipal corporation, school district, community school, ~~or a~~ 15
park district created under Chapter 1545. of the Revised Code, 16
library or library district specified in section 3375.32 of the 17



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Revised Code, juvenile facility district created under section 18
2151.65 of the Revised Code, or detention facility district 19
created under section 2152.41 of the Revised Code. 20

(2) "Employee dishonesty and faithful performance of duty 21
policy" means a policy of insurance, or a coverage document 22
issued by a joint self-insurance pool authorized under section 23
2744.081 of the Revised Code, to protect ~~a political subdivision~~ 24
~~from financial or property loss caused by the fraudulent or~~ 25
~~dishonest actions of, and the failure to perform a duty~~ 26
~~prescribed by law for, an officer, employee, or appointee that~~ 27
~~is otherwise required by law to give an individual surety bond~~ 28
~~before entering upon the discharge of official duties~~ against 29
losses that would otherwise be protected against under a surety 30
bond and to protect against other losses as determined by the 31
political subdivision. 32

(B) A political subdivision may adopt a policy, by 33
ordinance or resolution, to allow for the use of an employee 34
dishonesty and faithful performance of duty policy, rather than 35
a surety bond, ~~to cover losses caused by the fraudulent or~~ 36
~~dishonest actions of, and the failure to perform a duty~~ 37
~~prescribed by law for, officers, employees, or appointees that~~ 38
would otherwise be required ~~to~~ by law to be given by any of the 39
following: 40

(1) The political subdivision; 41

(2) An officer, employee, or appointee of the political 42
subdivision; 43

(3) Any other entity or individual, if the entity or 44
individual is required by law to give a surety bond to the 45
political subdivision. 46

The employee dishonesty and faithful performance of duty 47
policy also may cover any other entity or individual as 48
determined by the political subdivision. 49

(C)(1) Any officer, employee, or appointee otherwise 50
required by law to give an individual surety bond to qualify for 51
the office or employment before entering upon the discharge of 52
duties imposed by the office or employment. ~~The~~ shall, before 53
entering upon the discharge of duties imposed by the office or 54
employment, either give the individual surety bond or be covered 55
under an employee dishonesty and faithful performance of duty 56
policy shall be that is in effect and apply becomes applicable 57
to the officer, employee, or appointee ~~before~~ upon the beginning 58
of the individual's term of office or employment ~~and the~~ 59
~~officer, employee, or appointee shall not commence the discharge~~ 60
~~of duties until coverage is documented as required by the~~ 61
~~legislative authority. A lack of coverage on the date on which~~ 62
~~the discharge of duties are commenced by the individual shall~~ 63
~~render the office vacant and it shall be filled as required by~~ 64
~~law.~~ 65

~~(C)(2) Any officer, employee, or appointee otherwise~~ 66
required by law to maintain an individual surety bond to 67
continue being entitled to discharge the duties of the office or 68
employment may, during the individual's term or employment, 69
become covered under an employee dishonesty and faithful 70
performance of duty policy. 71

(D) For a political subdivision that has adopted a policy 72
as authorized under this section, all of the following apply: 73

(1) An officer, employee, or appointee otherwise required 74
by law to give an individual surety bond shall not commence or 75
continue the discharge of duties until coverage is documented as 76

required by the legislative authority. A lack of coverage on the 77
date on which the discharge of duties are commenced or continued 78
by the individual shall render the office vacant and it shall be 79
filled as required by law. 80

(2) Notwithstanding any section of the Revised Code 81
requiring an officer, employee, or appointee of a political 82
subdivision to give bond before being entitled to enter upon the 83
duties of the office or employment, an officer, employee, or 84
appointee shall be considered qualified to hold the office or 85
employment, without giving bond, on the date the oath of office 86
is taken, certified, and filed as required by law. 87

~~(2)-(3) Notwithstanding any section of the Revised Code~~ 88
~~requiring an officer, employee, or appointee of a political~~ 89
~~subdivision to maintain bond to continue being entitled to~~ 90
~~discharge the duties of the office or employment, an officer,~~ 91
~~employee, or appointee who becomes covered under an employee~~ 92
~~dishonesty and faithful performance of duty policy during the~~ 93
~~individual's term or employment and who remains covered under~~ 94
~~the employee dishonesty and faithful performance of duty policy~~ 95
~~for the duration of the individual's term or employment shall be~~ 96
~~considered qualified to hold the office or employment, without~~ 97
~~maintaining bond for the duration of the individual's term or~~ 98
~~employment as required by law.~~ 99

(4) Notwithstanding section 3.30 or any other section of 100
the Revised Code that provides an office or employment is 101
vacated upon the failure to file bond, the officer, employee, or 102
appointee shall be entitled to enter upon the duties of the 103
office or employment when the policy is in effect as provided in 104
division (B) of this section and the oath is filed as provided 105
in division ~~(C) (1)~~ (D) (2) of this section. 106

~~(3)~~ (5) All officers, employees, or appointees who would otherwise be required to file a bond before commencing the discharge of duties shall be covered by and are subject to the employee dishonesty and faithful performance of duty policy instead of a surety bond requirement.

~~(4)~~ (6) The coverage amount for an officer, employee, or appointee under an employee dishonesty and faithful performance of duty policy shall be equal to or greater than the maximum amount of the bond otherwise required by law. If no amount, or only a minimum amount, of coverage is specified in law for the particular officer, employee, or appointee, the amount of coverage shall be an amount agreed upon by the legislative authority or the authority otherwise designated by law to determine the amount of the bond.

~~(D)~~ (E) A political subdivision that does not adopt a policy under this section shall continue to use the surety bonds as otherwise provided in the Revised Code.

~~(E)~~ (F) Nothing in this section relieves an officer, employee, or appointee of other applicable requirements to hold the office or employment.

Sec. 3.30. Except as otherwise provided in section 3.061 of the Revised Code, a person elected or appointed to an office who is required by law to give a bond or security previous to the performance of the duties imposed on the person by the person's office, who refuses or neglects to give such bond or furnish such security within the time and in the manner prescribed by law, and in all respects to qualify self for the performance of such duties, is deemed to have refused to accept the office to which the person was elected or appointed. Such office shall be considered vacant and shall be filled as

provided by law. 137

A person subject to a policy adopted under section 3.061 138
of the Revised Code, when the policy is in effect and becomes 139
applicable to the person upon the beginning of the person's term 140
of office or employment, is deemed to have refused to accept the 141
office or employment when the person fails to take, certify, and 142
file the oath of office as required by law or fails to document 143
proof of insurance coverage as provided in division ~~(B)~~(D) of 144
section 3.061 of the Revised Code and the office shall be 145
considered vacant and shall be filled as provided by law. 146

A person who becomes subject to a policy adopted under 147
section 3.061 of the Revised Code during the person's term of 148
office or employment is deemed to have vacated the office when 149
the person fails to document proof of insurance coverage as 150
provided in division (D) of section 3.061 of the Revised Code 151
and the vacancy shall be filled as provided by law. 152

Sec. 9.65. (A) A board of township trustees, a board of 153
fire district trustees of a joint fire district, or the 154
legislative authority of a municipal corporation may establish, 155
by resolution or ordinance, as appropriate, an annuity program 156
for the volunteer fire fighters serving the political 157
subdivision, including those affiliated with a private entity 158
that provides fire-fighting or emergency medical services. The 159
program may permit the board or the legislative authority to 160
contract for, purchase, or otherwise procure from an insurer or 161
insurers licensed to do business by this state an annuity for 162
such fire fighters. The program may also permit the board or the 163
legislative authority at any time to cancel or otherwise 164
terminate an annuity with any particular insurer or insurers. 165
The board or the legislative authority may pay all or any 166

portion of the cost, premium, or charge of the annuity. The 167
board or the legislative authority may create a fund in the 168
treasury of the township, the joint fire district, or the 169
municipal corporation, as appropriate, for the annuity program. 170
The resolution or ordinance creating the program shall include a 171
plan to assure the proper administration and operation of the 172
program. The plan shall include, but not be limited to, all of 173
the following: 174

(1) The requirements a person must meet in order to be 175
eligible to participate in the program; 176

(2) The requirements an eligible person must meet annually 177
in order to participate in the program; 178

(3) A requirement that an audit of the accounts, financial 179
reports, records, and files pertaining to the program be 180
performed in the same manner and with the same frequency that an 181
audit of a public office is performed under section 117.11 of 182
the Revised Code. The audit required under division (A) (3) of 183
this section shall be in addition to and separate from any audit 184
of a township, joint fire district, or municipal corporation 185
required under section 117.11 of the Revised Code but may be 186
performed at the same time as such an audit. 187

(4) Provisions for termination of the program. 188

(B) A political subdivision that has established an 189
annuity program under division (A) of this section may 190
appropriate general revenue fund moneys of the political 191
subdivision not appropriated for any other purpose to the 192
annuity program and may use moneys raised under section 505.37, 193
505.371, or 505.39 or under division (I) ~~or~~ (U), or (JJ) of 194
section 5705.19 of the Revised Code for the annuity program. 195

Income from the investment of moneys in any fund established in 196
the treasury of a political subdivision for the annuity program 197
shall be paid into the annuity fund. 198

(C) As used in this section: 199

(1) "Volunteer fire fighter" means a person who performs 200
service as a fire fighter, or who performs emergency medical 201
service, on a less than full-time basis for a political 202
subdivision. 203

(2) "Political subdivision" means a municipal corporation, 204
a township, a township fire district, or a joint fire district. 205

Sec. 165.01. As used in this chapter: 206

~~(A) "Agency" means a community improvement corporation 207
organized under Chapter 1724. of the Revised Code and 208
designated, pursuant to section 1724.10 of the Revised Code, as 209
the agency of a municipal corporation or county. 210~~

~~(B) "Bonds" means bonds, notes, or other forms of 211
evidences of obligation issued in temporary or definitive form, 212
including notes issued in anticipation of the issuance of bonds 213
and renewal notes. The funding of bond anticipation notes with 214
bonds or renewal notes and the exchange of definitive bonds for 215
temporary bonds are not subject to section 165.07 of the Revised 216
Code. 217~~

~~(C) "Bond proceedings" means the resolution or ordinance 218
or the trust agreement or indenture of mortgage, or combination 219
thereof, authorizing or providing for the terms and conditions 220
applicable to bonds issued under authority of this chapter. 221~~

~~(D) "Issuer" means the state, or a county, township, or 222
municipal corporation of this the state which county or 223~~

~~municipal corporation has, pursuant to section 1724.10 of the Revised Code, designated a community improvement corporation as its agency for industrial, commercial, distribution, and research development and for which a plan has been prepared by such community improvement corporation and confirmed by its issuing authority.~~ 224
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~~(E) "Issuing authority" means in the case of the state, the director of development services; in the case of a municipal corporation, the legislative authority thereof; in the case of a township, the board of township trustees; and in the case of a county, the board of county commissioners or whatever officers, board, commission, council, or other body might succeed to the legislative powers of the commissioners.~~ 230
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~~(F) "Plan" means a plan prepared by the agency pursuant to section 1724.10 of the Revised Code, and confirmed by the issuing authority of a municipal corporation or county.~~ 237
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~~(G) "Pledged facilities" means the project or projects mortgaged or the rentals, revenues, and other income, charges, and moneys from which are pledged, or both, for the payment of the principal of and interest on the bonds issued under authority of section 165.03 of the Revised Code, and includes a project for which a loan has been made under authority of this chapter, in which case, references in this chapter to revenues of such pledged facilities or from the disposition thereof includes payments made or to be made to or for the account of the issuer pursuant to such loan.~~ 240
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~~(H) "Project" means real or personal property, or both, including undivided and other interests therein, acquired by gift or purchase, constructed, reconstructed, enlarged, improved, furnished, or equipped, or any combination thereof, by~~ 250
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an issuer, or by others in whole or in part from the proceeds of 254
a loan made by an issuer, for industry, commerce, distribution, 255
or research and located within the boundaries of the issuer. 256
"Project" includes sanitary facilities, drainage facilities, and 257
prevention or replacement facilities as defined in section 258
6117.01 of the Revised Code. A project as defined in this 259
division is hereby determined to qualify as facilities described 260
in Section 13 of Article VIII, Ohio Constitution. 261

~~(I)~~—"Revenues" means the rentals, revenues, payments, 262
repayments, income, charges, and moneys derived or to be derived 263
from the use, lease, sublease, rental, sale, including 264
installment sale or conditional sale, or other disposition of 265
pledged facilities, or derived or to be derived pursuant to a 266
loan made for a project, bond proceeds to the extent provided in 267
the bond proceedings for the payment of principal of, or 268
premium, if any, or interest on the bonds, proceeds from any 269
insurance, condemnation or guaranty pertaining to pledged 270
facilities or the financing thereof, and income and profit from 271
the investment of the proceeds of bonds or of any revenues. 272

~~(J)~~—"Security interest" means a mortgage, lien, or other 273
encumbrance on, or pledge or assignment of, or other security 274
interest with respect to all or any part of pledged facilities, 275
revenues, reserve funds, or other funds established under the 276
bond proceedings, or on, of, or with respect to, a lease, 277
sublease, sale, conditional sale or installment sale agreement, 278
loan agreement, or any other agreement pertaining to the lease, 279
sublease, sale, or other disposition of a project or pertaining 280
to a loan made for a project, or any guaranty or insurance 281
agreement made with respect thereto, or any interest of the 282
issuer therein, or any other interest granted, assigned, or 283
released to secure payments of the principal of, premium, if 284

any, or interest on any bonds or to secure any other payments to 285
be made by an issuer under the bond proceedings. Any security 286
interest under this chapter may be prior or subordinate to or on 287
a parity with any other mortgage, lien, encumbrance, pledge, 288
assignment, or other security interest. 289

Sec. 165.03. (A) An issuer may issue bonds for the purpose 290
of providing moneys to acquire by purchase, construct, 291
reconstruct, enlarge, improve, furnish, or equip one or more 292
projects or parts thereof, or for any combination of such 293
purposes, including providing moneys to make loans to others for 294
such purposes. The issuing authority shall provide by resolution 295
or ordinance for the issuance of such bonds. The bond 296
proceedings may contain determinations by the issuing authority 297
that the project to be financed thereunder is a project as 298
defined in this chapter and is consistent with the purposes of 299
Section 13 of Article VIII, Ohio Constitution, and such 300
determinations shall be conclusive as to the validity and 301
enforceability of the bonds issued under such bond proceedings 302
and of such bond proceedings and security interests given and 303
leases, subleases, sale agreements, loan agreements, and other 304
agreements made in connection therewith, all in accordance with 305
their terms. 306

The principal of and interest on the bonds and all other 307
payments required to be made by the bond proceedings shall be 308
payable solely from the revenues and secured by security 309
interests as provided in such bond proceedings. Bond 310
anticipation notes may be secured, solely or additionally, by a 311
covenant of the issuer that it will do all things necessary for 312
the issuance of the bonds anticipated or renewal notes in 313
appropriate amount and either exchange such bonds or renewal 314
notes for such notes or apply the proceeds therefrom to the 315

extent necessary to make full payment of the principal of and 316
interest on such notes. The bond proceedings shall not obligate 317
or pledge moneys raised by taxation. 318

Bonds may be issued at one time or from time to time, 319
shall be dated, shall mature at such time or times not exceeding 320
thirty years from date of issue, and may be redeemable before 321
maturity at such price or prices and under such terms and 322
conditions, all as provided in the bond proceedings. The bonds 323
shall bear interest at such rate or rates, or at a variable rate 324
or rates changing from time to time in accordance with a base or 325
formula, as provided in or authorized by the bond proceedings. 326
The issuing authority shall determine the form of the bonds, fix 327
their denominations and method of execution, and establish 328
within or without the state a place or places for the payment of 329
principal or interest. 330

(B) The issuing authority may provide for sales of bonds 331
at public or private sale as it deems most advantageous and for 332
such prices, whether above or below the par value thereof, as it 333
determines or within such limit or limits as it determines. 334

~~(C) If the issuer is a county or municipal corporation,~~ 335
~~then, prior to the delivery of bonds issued under authority of~~ 336
~~this section, the issuing authority shall first have received~~ 337
~~from its agency a certification that a project to be financed by~~ 338
~~the issuance of such bonds is in accordance with the plan,~~ 339
~~except that no such certification is necessary if the project is~~ 340
~~a sanitary facility, drainage facility, or prevention or~~ 341
~~replacement facility as defined in section 6117.01 of the~~ 342
~~Revised Code.~~ If the state is the issuer, then prior to before 343
the authorization of the bonds, the issuing authority of the 344
state shall have received a written request for the issuance of 345

the bonds from either the board of directors of a port authority 346
created pursuant to the authority of section 4582.02 or 4582.22 347
of the Revised Code if the project is within the jurisdiction of 348
the port authority ~~or,~~ from the issuing authority of the 349
municipal corporation, if the project is within the boundaries 350
of a municipal corporation, or from the issuing authority of the 351
township or county, if the project is within the unincorporated 352
portion of the township or county, and if the project is to be 353
~~located within a municipal corporation with a plan or in an~~ 354
~~unincorporated portion of the county with a plan, then prior to~~ 355
~~the delivery of bonds issued under this section, the issuing~~ 356
~~authority shall first have received from the agency of the~~ 357
~~municipal corporation if within its limits, or from the agency~~ 358
~~of the county if in unincorporated territory, a certification~~ 359
~~that such project is in accordance with its plan, except that no~~ 360
~~such certification is necessary if the request for issuance of~~ 361
~~the bonds is made by the port authority.~~ 362

(D) If the issuer is a county, township, or municipal 363
corporation, then, ~~prior to~~ before the delivery of bonds issued 364
under authority of this section, the issuing authority shall 365
have caused a written notice to have been mailed by certified 366
mail to the director of ~~the department of development~~ services 367
of the state advising such director of the proposed delivery of 368
the bonds, the amount thereof, the proposed lessee, and a 369
general description of the project or projects to be financed. 370

(E) In case any officer who has signed any bonds or 371
coupons pertaining thereto, or caused the officer's facsimile 372
signature to be affixed thereto, ceases to be such officer 373
before such bonds or coupons have been delivered, such bonds or 374
coupons may, nevertheless, be issued and delivered as though the 375
person who had signed the bonds or coupons or caused the 376

person's facsimile signature to be affixed thereto had not 377
ceased to be such officer. Any bonds or coupons may be executed 378
on behalf of the issuer by an officer who, on the date of 379
execution, is the proper officer although on the date of such 380
bonds or coupons such person was not the proper officer. 381

(F) All bonds issued under authority of this chapter, 382
regardless of form or terms and regardless of any other law to 383
the contrary, shall have all qualities and incidents of 384
negotiable instruments, subject to provisions for registration, 385
and may be issued in coupon, fully registered, or other form, or 386
any combination thereof, as the issuing authority determines. 387
Provision may be made for the registration of any coupon bonds 388
as to principal alone or as to both principal and interest, and 389
for the conversion into coupon bonds of any fully registered 390
bonds or bonds registered as to both principal and interest. 391

Sec. 503.07. (A) When the limits of a municipal 392
corporation do not comprise the whole of the township in which 393
it is situated, or if by change of limits of ~~such the~~ 394
corporation include territory lying in more than one township, 395
the legislative authority of ~~such the~~ municipal corporation, by 396
~~a an affirmative majority vote of the majority of the its~~ 397
~~members of such legislative authority,~~ may petition the board of 398
county commissioners for a change of township lines in order to 399
make them identical, in whole or in part, with the limits of the 400
municipal corporation, or to erect a new township out of the 401
portion of such township included within the limits of ~~such the~~ 402
municipal corporation. 403

(B) At least ten days before the municipal legislative 404
authority votes on a change of township lines, the legislative 405
authority shall provide notice to any township that is the 406

subject of the boundary change sought under this section. If the 407
vote is not taken or does not result in an affirmative vote of 408
the majority, notice shall be provided to any such township 409
within ten days after the result is known or the vote is not 410
taken. The notice shall be sent by ordinary mail or, if the 411
municipal corporation has record of an internet identifier of 412
record for the affected township, by that internet identifier of 413
record. 414

(C) The board of county commissioners, on presentation of 415
such the petition, with authentication of the proceedings of the 416
legislative authority authenticated, at a regular or adjourned 417
session, shall, upon the petition of a city, change the 418
boundaries of the township or erect such a new township out of 419
the portion of the township included within the limits of the 420
municipal corporation, and may, upon the petition of a village, 421
change the boundaries of the township or erect such a new 422
township. 423

(D) As used in this section, "internet identifier of 424
record" has the same meaning as in section 9.312 of the Revised 425
Code. 426

Sec. 505.43. In order to obtain police protection, or to 427
obtain additional police protection, any township may enter into 428
a contract with one or more townships, municipal corporations, 429
park districts created pursuant to section 511.18 or 1545.01 of 430
the Revised Code, county sheriffs, joint police districts, or 431
with a governmental entity of an adjoining state upon any terms 432
that are agreed to by them, for services of police departments 433
or use of police equipment, or the interchange of the service of 434
police departments or use of police equipment within the several 435
territories of the contracting subdivisions, if the contract is 436

first authorized by respective boards of township trustees or 437
other legislative bodies. The cost of the contract may be paid 438
for from the township general fund or from funds received 439
pursuant to the passage of a levy authorized pursuant to 440
division (J) or (JJ) of section 5705.19 and section 5705.25 of 441
the Revised Code. 442

Chapter 2744. of the Revised Code, insofar as it is 443
applicable to the operation of police departments, applies to 444
the contracting political subdivisions and police department 445
members when the members are rendering service outside their own 446
subdivision pursuant to the contract. 447

Police department members acting outside the subdivision 448
in which they are employed may participate in any pension or 449
indemnity fund established by their employer to the same extent 450
as while acting within the employing subdivision, and are 451
entitled to all the rights and benefits of Chapter 4123. of the 452
Revised Code, to the same extent as while performing service 453
within the subdivision. 454

The contract may provide for a fixed annual charge to be 455
paid at the times agreed upon and stipulated in the contract. 456

Sec. 505.86. (A) As used in this section: 457

"Party in interest" means an owner of record of the real 458
property on which the building or structure is located, and 459
includes a holder of a legal or equitable lien of record on the 460
real property or the building or other structure. 461

"Total cost" means any costs incurred due to the use of 462
employees, materials, or equipment of the township, any costs 463
arising out of contracts for labor, materials, or equipment, and 464
costs of service of notice or publication required under this 465

section. 466

(B) A board of township trustees, by resolution, may 467
provide for the removal, repair, or securance of buildings or 468
other structures in the township that have been declared 469
insecure, unsafe, or structurally defective by any fire 470
department under contract with the township or by the county 471
building department or other authority responsible under Chapter 472
3781. of the Revised Code for the enforcement of building 473
regulations or the performance of building inspections in the 474
township, or buildings or other structures that have been 475
declared to be in a condition dangerous to life or health, or 476
unfit for human habitation by the board of health of the general 477
health district of which the township is a part. 478

At least thirty days before the removal, repair, or 479
securance of any insecure, unsafe, or structurally defective 480
building or other structure, the board of township trustees 481
shall give notice by certified mail, return receipt requested, 482
to each party in interest of its intention with respect to the 483
removal, repair, or securance of an insecure, unsafe, or 484
structurally defective or unfit building or other structure. 485

If the address of a party in interest is unknown and 486
cannot reasonably be obtained, it is sufficient to publish the 487
notice once in a newspaper of general circulation in the 488
township. 489

(C) (1) If the board of trustees, in a resolution adopted 490
under this section, pursues action to remove any insecure, 491
unsafe, or structurally defective building or other structure, 492
the notice shall include a statement informing the parties in 493
interest that each party in interest is entitled to a hearing if 494
the party in interest requests a hearing in writing within 495

twenty days after the notice was mailed. The written request for 496
a hearing shall be made to the township fiscal officer. 497

(2) If a party in interest timely requests a hearing, the 498
board shall set the date, time, and place for the hearing and 499
notify the party in interest by certified mail, return receipt 500
requested. The date set for the hearing shall be within fifteen 501
days, but not earlier than seven days, after the party in 502
interest has requested a hearing, unless otherwise agreed to by 503
both the board and the party in interest. The hearing shall be 504
recorded by stenographic or electronic means. 505

(3) The board shall make an order deciding the matter not 506
later than thirty days after a hearing, or not later than thirty 507
days after mailing notice to the parties in interest if no party 508
in interest requested a hearing. The order may dismiss the 509
matter or direct the removal, repair, or securance of the 510
building or other structure. At any time, a party in interest 511
may consent to an order. 512

(4) A party in interest who requested and participated in 513
a hearing, and who is adversely affected by the order of the 514
board, may appeal the order under section 2506.01 of the Revised 515
Code. 516

(D) At any time, a party in interest may enter into an 517
agreement with the board of township trustees to perform the 518
removal, repair, or securance of the insecure, unsafe, or 519
structurally defective or unfit building or other structure. 520

(E) If an emergency exists, as determined by the board, 521
notice may be given other than by certified mail and less than 522
thirty days before the removal, repair, or securance. 523

(F) The total cost of removing, repairing, or securing 524

buildings or other structures that have been declared insecure, 525
unsafe, structurally defective, or unfit for human habitation, 526
or of making emergency corrections of hazardous conditions, when 527
approved by the board, shall be paid out of the township general 528
fund from moneys not otherwise appropriated, except that, if the 529
costs incurred exceed five hundred dollars, the board may borrow 530
moneys from a financial institution to pay for the costs in 531
whole or in part. 532

The total cost may be collected by either of the following 533
methods: 534

(1) The board may have the fiscal officer of the township 535
certify the total costs, together with a proper description of 536
the lands to the county auditor who shall place the costs upon 537
the tax duplicate. The costs are a lien upon the lands from and 538
after the date of entry. The costs shall be returned to the 539
township and placed in the township's general fund. 540

(2) The board may commence a civil action to recover the 541
total costs from the owner of record of the real property on 542
which the building or structure is located. 543

(G) Any board of township trustees may, whenever a policy 544
or policies of insurance are in force providing coverage against 545
the peril of fire on a building or structure and the loss agreed 546
to between the named insured or insureds and the company or 547
companies is more than five thousand dollars and equals or 548
exceeds sixty per cent of the aggregate limits of liability on 549
all fire policies covering the building or structure on the 550
property, accept security payments and follow the procedures of 551
divisions (C) and (D) of section 3929.86 of the Revised Code. 552

Sec. 505.87. (A) A board of township trustees may provide 553

for the abatement, control, or removal of vegetation, garbage, 554
refuse, and other debris from land in the township, if the board 555
determines that the owner's maintenance of that vegetation, 556
garbage, refuse, or other debris constitutes a nuisance. 557

(B) At least seven days before providing for the 558
abatement, control, or removal of any vegetation, garbage, 559
refuse, or other debris, the board of township trustees shall 560
notify the owner of the land and any holders of liens of record 561
upon the land that: 562

(1) The owner is ordered to abate, control, or remove the 563
vegetation, garbage, refuse, or other debris, the owner's 564
maintenance of which has been determined by the board to be a 565
nuisance; 566

(2) If that vegetation, garbage, refuse, or other debris 567
is not abated, controlled, or removed, or if provision for its 568
abatement, control, or removal is not made, within seven days, 569
the board shall provide for the abatement, control, or removal, 570
and any ~~expenses~~costs incurred by the board in performing that 571
task shall be entered upon the tax duplicate and become a lien 572
upon the land from the date of entry. 573

The board shall send the notice to the owner of the land 574
by certified mail if the owner is a resident of the township or 575
is a nonresident whose address is known, and by certified mail 576
to lienholders of record; alternatively, if the owner is a 577
resident of the township or is a nonresident whose address is 578
known, the board may give notice to the owner by causing any of 579
its agents or employees to post the notice on the principal 580
structure on the land and to photograph that posted notice with 581
a camera capable of recording the date of the photograph on it. 582
If the owner's address is unknown and cannot reasonably be 583

obtained, it is sufficient to publish the notice once in a newspaper of general circulation in the township.

(C) If a board of township trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage, refuse, or other debris on the same land in the township constitutes a nuisance, at least four days before providing for the abatement, control, or removal of any vegetation, garbage, refuse, or other debris, the board shall give notice of the subsequent nuisance determination to the owner of the land and to any holders of liens of record upon the land as follows:

(1) The board shall send written notice by first class mail to the owner of the land and to any lienholders of record. Failure of delivery of the notice shall not invalidate any action to abate, control, or remove the nuisance. Alternatively, the board may give notice to the owner by causing any of its agents or employees to post the notice on the principal structure on the land and to photograph that posted notice with a camera capable of recording the date of the photograph on it.

(2) If the owner's address is unknown and cannot reasonably be obtained, it is sufficient to post the notice on the board of township trustee's internet web site for four consecutive days, or to post the notice in a conspicuous location in the board's office for four consecutive days if the board does not maintain an internet web site.

(D) The owner of the land or holders of liens of record upon the land may enter into an agreement with the board of township trustees providing for either party to the agreement to perform the abatement, control, or removal before the time the board is required to provide for the abatement, control, or

removal under division (E) of this section. 614

(E) If, within seven days after notice is given under 615
division (B) of this section, or within four days after notice 616
is given under division (C) of this section, the owner of the 617
land fails to abate, control, or remove the vegetation, garbage, 618
refuse, or other debris, or no agreement for its abatement, 619
control, or removal is entered into under division (D) of this 620
section, the board of township trustees shall provide for the 621
abatement, control, or removal and may employ the necessary 622
labor, materials, and equipment to perform the task. All 623
~~expenses~~costs incurred, when approved by the board, shall be 624
paid out of the township general fund from moneys not otherwise 625
appropriated, except that if the ~~expenses~~costs incurred exceed 626
five hundred dollars, the board may borrow moneys from a 627
financial institution to pay for the ~~expenses~~costs in whole or 628
in part. 629

(F) The board of township trustees shall make a written 630
report to the county auditor of the board's action under this 631
section. The board shall include in the report a proper 632
description of the premises and a statement of all ~~expenses~~ 633
costs incurred in providing for the abatement, control, or 634
removal of any vegetation, garbage, refuse, or other debris as 635
provided in division (E) of this section, including the board's 636
charges for its services, the costs incurred in providing 637
notice, any fees or interest paid to borrow moneys, and the 638
amount paid for labor, materials, and equipment. The ~~expenses~~ 639
~~incurred, when allowed, shall be entered~~ county auditor shall 640
place the costs upon the tax duplicate~~7~~. The costs are a lien 641
upon the land from and after the date of the entry, ~~shall be~~ 642
~~collected as other taxes, and~~. The costs shall be returned to 643
the township and placed in the ~~township~~township's general fund. 644

Sec. 505.871. (A) A board of township trustees may 645
provide, by resolution, for the removal of any vehicle in the 646
unincorporated territory of the township that the board 647
determines is a junk motor vehicle, as defined in section 648
505.173 of the Revised Code. 649

(B) If a junk motor vehicle is located on public property, 650
the board of township trustees may provide in the resolution for 651
the immediate removal of the vehicle. 652

(C) (1) If a junk motor vehicle is located on private 653
property, the board of township trustees may provide in the 654
resolution for the removal of the vehicle not sooner than 655
fourteen days after the board serves written notice of its 656
intention to remove or cause the removal of the vehicle on the 657
owner of the land and any holders of liens of record on the 658
land. 659

(2) The notice provided under this division shall 660
generally describe the vehicle to be removed and indicate all of 661
the following: 662

(a) The board has determined that the vehicle is a junk 663
motor vehicle. 664

(b) If the owner of the land fails to remove the vehicle 665
within fourteen days after service of the notice, the board may 666
remove or cause the removal of the vehicle. 667

(c) Any ~~expenses~~ costs the board incurs in removing or 668
causing the removal of the vehicle may be entered upon the tax 669
duplicate and become a lien upon the land from the date of 670
entry. 671

(3) The board shall serve the notice under this division 672
by sending it by certified mail, return receipt requested, to 673

the owner of the land, if the owner resides in the 674
unincorporated territory of the township or if the owner resides 675
outside the unincorporated territory of the township and the 676
owner's address is known or ascertainable through an exercise of 677
reasonable diligence. The board also shall send notice in such 678
manner to any holders of liens of record on the land. If a 679
notice sent by certified mail is refused or unclaimed, or if an 680
owner's address is unknown and cannot reasonably be ascertained 681
by an exercise of reasonable diligence, the board shall publish 682
the notice once in a newspaper of general circulation in the 683
township before the removal of the vehicle, and, if the land 684
contains any structures, the board also shall post the notice on 685
the principal structure on the land. 686

A notice sent by certified mail shall be deemed to be 687
served for purposes of this section on the date it was received 688
as indicated by the date on a signed return receipt. A notice 689
given by publication shall be deemed to be served for purposes 690
of this section on the date of the newspaper publication. 691

(D) The board of township trustees may cause the removal 692
or may employ the labor, materials, and equipment necessary to 693
remove a junk motor vehicle under this section. All ~~expenses-~~ 694
costs incurred in removing or causing the removal of a junk 695
motor vehicle, when approved by the board, shall be paid out of 696
the township general fund from moneys not otherwise 697
appropriated, except that if the ~~expenses-~~costs exceed five 698
hundred dollars, the board may borrow moneys from a financial 699
institution to pay the ~~expenses-~~costs in whole or in part. 700

(E) The board of township trustees may utilize any lawful 701
means to collect the ~~expenses-~~costs incurred in removing or 702
causing the removal of a junk motor vehicle under this section, 703

including any fees or interest paid to borrow moneys under 704
division (D) of this section. The board may direct the township 705
fiscal officer to certify the ~~expenses~~ costs and a description 706
of the land to the county auditor, ~~who~~. The county auditor 707
shall place the ~~expenses~~ costs upon the tax duplicate ~~as~~. The 708
costs are a lien upon the land to from and after the date of 709
entry. The costs shall be collected as other taxes and returned 710
to the township and placed in the township's general fund. 711

(F) (1) As used in this division: 712

(a) "Motor vehicle salvage dealer" has the same meaning as 713
in section 4738.01 of the Revised Code. 714

(b) "Scrap metal processing facility" has the same meaning 715
as in section 4737.05 of the Revised Code. 716

(2) Notwithstanding section 4513.63 of the Revised Code, 717
if a junk motor vehicle is removed and disposed of in accordance 718
with this section, the clerk of courts of the county shall issue 719
a salvage certificate of title for that junk motor vehicle to a 720
motor vehicle salvage dealer licensed pursuant to Chapter 4738. 721
of the Revised Code or a scrap metal processing facility 722
licensed pursuant to sections 4737.05 to 4737.12 of the Revised 723
Code if all of the following conditions are satisfied: 724

(a) The board of township trustees has entered into a 725
contract with the motor vehicle salvage dealer or scrap metal 726
processing facility for the disposal or removal of the junk 727
motor vehicle in accordance with section 505.85 of the Revised 728
Code. 729

(b) The fiscal officer for the board of township trustees 730
executes in triplicate an affidavit prescribed by the registrar 731
of motor vehicles describing the junk motor vehicle and the 732

manner of removal or disposal and certifying that all 733
requirements of this section and the notice and records search 734
requirements of section 4505.101 of the Revised Code have been 735
satisfied. 736

(c) The board of township trustees retains the original 737
affidavit for the board's records and furnishes the remaining 738
two copies of the affidavit to the motor vehicle salvage dealer 739
or scrap metal processing facility. 740

(d) The motor vehicle salvage dealer or scrap metal 741
processing facility presents one copy of the affidavit to the 742
clerk. 743

(3) The clerk shall issue the salvage certificate of 744
title, free and clear of all liens and encumbrances, not later 745
than thirty days after the motor vehicle salvage dealer or scrap 746
metal processing facility presents the affidavit pursuant to 747
division (F) (2) of this section. 748

(G) Notwithstanding section 4513.65 of the Revised Code, 749
but subject to division (H) (2) of this section, any collector's 750
vehicle that meets the definition of a junk motor vehicle is 751
subject to removal under this section. 752

(H) (1) Nothing in this section affects the authority of a 753
board of township trustees to adopt and enforce resolutions 754
under section 505.173 of the Revised Code to regulate the 755
storage of junk motor vehicles on private or public property in 756
the unincorporated territory of the township. 757

(2) A resolution adopted under this section is subject to 758
the same restrictions specified in division (A) of section 759
505.173 of the Revised Code for resolutions adopted under that 760
section. 761

Sec. 517.27. (A) When a public cemetery in a township is 762
not under the control of a municipal corporation, and the title 763
or control ~~thereof~~ is vested in an association or ~~the~~ its board 764
of trustees ~~thereof~~, or is vested in a religious society, 765
whether incorporated or not, or in ~~the~~ its board of trustees- 766
~~thereof~~, and such cemetery is used exclusively for cemetery 767
purposes, such association, society, or ~~the~~ board of trustees 768
~~thereof~~ may convey such grounds to the board of township 769
trustees and its successors in office. ~~Subject~~ Except as 770
provided in division (B) of this section, and subject to the 771
rights of the original grantor, ~~his~~ the original grantor's heirs 772
or assigns, the board of township trustees shall accept and take 773
possession of ~~such~~ the grounds, and take care of, keep in 774
repair, hold, treat, and manage them in all respects as required 775
by sections 517.01 to 517.32, inclusive, of the Revised Code. 776

(B) A board of township trustees is not required to accept 777
and take possession of the grounds of a public cemetery, or to 778
take care of, keep in repair, hold, treat, or manage the grounds 779
as described in division (A) of this section, if, as a result of 780
the conveyance, any parcel abutting the cemetery grounds or from 781
which the grounds were partitioned or subdivided satisfies any 782
of the following conditions: 783

(1) The parcel is owned by the association or its trustees 784
or the religious society that conveyed the cemetery grounds or 785
by an association, its trustees, or a religious society that is 786
a successor to the association, trustees, or religious society 787
that conveyed the cemetery grounds. 788

(2) Any part of the parcel, including any building or 789
structure situated on the parcel, is used for social, 790
educational, recreational, or religious activities of the 791

association or religious society or of an association or 792
religious society that is a successor to the association, 793
trustees, or religious society that conveyed the cemetery 794
grounds. 795

(3) Any part of the parcel, including any building or 796
structure situated on the parcel, is exempted from property 797
taxation under section 5709.07 or 5709.14 of the Revised Code, 798
or under division (B) of section 5709.12 of the Revised Code on 799
the basis of being used exclusively for charitable purposes by 800
the association or religious society that conveyed the cemetery 801
grounds. 802

(C) When a cemetery association or religious society 803
conveys a cemetery under this section, all cemetery records and 804
funds shall be transferred to the township. Transferred funds 805
shall be used exclusively for cemetery purposes as set forth in 806
section 1721.06 of the Revised Code and any other similar 807
provisions of the Revised Code that require funds to be held in 808
trust for cemetery purposes. 809

Sec. 715.82. A municipal corporation may issue bonds and 810
exercise all other powers under Chapter 165. of the Revised Code 811
for one or more projects or parts thereof located in a joint 812
economic development district created pursuant to a contract 813
entered into under section 715.70, 715.71, or 715.72 of the 814
Revised Code to which the municipal corporation is a party, or 815
in a township adjacent to that municipal corporation, if the 816
legislative authority of the municipal corporation determines 817
that the project is in furtherance of the public purposes of the 818
state to create or preserve jobs and employment opportunities 819
and to improve the economic welfare of the people of the 820
municipal corporation and the township. As used in this section, 821

"project" has the same meaning as in ~~division (H) of~~ section 822
165.01 of the Revised Code, except that a project described in 823
this section is not required to be located within the 824
territorial boundaries of the municipal corporation. 825

Sec. 742.33. (A) Each employer shall pay monthly, on such 826
dates as the board of trustees of the Ohio police and fire 827
pension fund requires, from its general fund, or from a levy 828
imposed pursuant to division (J) ~~or~~, (W), or (JJ) of section 829
5705.19 of the Revised Code, to the fund an amount known as the 830
"police officer employers' contribution," which shall be 831
nineteen and one-half per cent of the salaries as defined in 832
division (L) of section 742.01 of the Revised Code of the 833
members of the police department of the employer. 834

(B) The taxing authority of each municipal corporation in 835
which there was a police relief and pension fund on October 1, 836
1965, shall annually, in the manner provided for making other 837
municipal levies and in addition to all other levies authorized 838
by law, levy a tax of three-tenths of one mill upon all the real 839
and personal property as listed for taxation in the municipal 840
corporation for the purpose of paying the police officer 841
employers' contribution and the municipal corporation's accrued 842
liability for its former police relief and pension fund and 843
interest thereon, and of defraying the current operating 844
expenses of the municipal corporation. The annual revenues 845
derived from the tax shall be used in the following order: 846

(1) First, to pay the current police officer employers' 847
contribution and any interest related thereto; 848

(2) Second, to pay any accrued liability chargeable to the 849
municipal corporation during the current calendar year for its 850
former police relief and pension fund and any interest related 851

thereto; 852

(3) Third, to defray the current operating expenses of the 853
municipal corporation. 854

Sec. 742.34. (A) Each employer shall pay monthly, on such 855
dates as the board of trustees of the Ohio police and fire 856
pension fund requires, from its general fund, or from a levy 857
imposed pursuant to division (I) ~~or~~, (W), or (JJ) of section 858
5705.19 of the Revised Code, to the fund an amount known as the 859
"firefighter employers' contribution," which shall be twenty- 860
four per cent of the salaries as defined in division (L) of 861
section 742.01 of the Revised Code of the members of the fire 862
department of the employer. 863

(B) The taxing authority of each municipal corporation in 864
which there was a firemen's relief and pension fund on October 865
1, 1965, shall annually, in the manner provided for making other 866
municipal levies and in addition to all other levies authorized 867
by law, levy a tax of three-tenths of one mill upon all the real 868
and personal property as listed for taxation in the municipal 869
corporation for the purpose of paying the firefighter employers' 870
contribution and the municipal corporation's accrued liability 871
for its former firemen's relief and pension fund and interest 872
thereon, and of defraying the current operating expenses of the 873
municipal corporation. The annual revenues derived from the tax 874
shall be used in the following order: 875

(1) First, to pay the current firefighter employers' 876
contribution and any interest related thereto; 877

(2) Second, to pay any accrued liability chargeable to the 878
municipal corporation during the current calendar year for its 879
former firemen's relief and pension fund and any interest 880

related thereto; 881

(3) Third, to defray the current operating expenses of the 882
municipal corporation. 883

Sec. 1545.05. (A) Upon the creation of a park district, 884
the probate judge shall appoint three commissioners who shall 885
take office immediately and whose terms shall expire one, two, 886
and three years, respectively, from the first day of January 887
next after the date of their appointment. Thereafter, their 888
successors shall be appointed by the probate judge for terms of 889
three years. Before entering upon the performance of the duties 890
of the office, each commissioner shall take an oath to perform 891
faithfully the duties of the office and, except as otherwise 892
provided in section 3.061 of the Revised Code, shall give bond 893
for that faithful performance in the sum of five thousand 894
dollars. The bond shall be approved by and filed with the county 895
auditor. The commissioners shall serve without compensation, but 896
shall be allowed their actual and necessary expenses incurred in 897
the performance of their duties. 898

(B) Any board of park commissioners of a park district may 899
elect to expand the membership of the board from three members 900
to five members upon a majority vote of the board. Upon such a 901
vote, the board shall certify to the probate judge a resolution 902
requesting the judge to appoint two additional members to the 903
board. The probate judge shall appoint those additional members, 904
and they shall take office immediately upon their appointment. 905
One member shall be appointed to a term that expires on the 906
first day of January of the year following the year of that 907
member's appointment, and one member shall be appointed to a 908
term that expires on the first day of January of the second year 909
following the year of that member's appointment. Thereafter, 910

their successors shall be appointed by the probate judge for 911
terms of three years. 912

Sec. 2151.70. The judge, in a county maintaining a school, 913
forestry camp, or other facility or facilities created under 914
section 2151.65 of the Revised Code, shall appoint the 915
superintendent of any such facility. In the case of a district 916
facility created under such section, the board of trustees shall 917
appoint the superintendent. A-Except as otherwise provided in 918
section 3.061 of the Revised Code, a superintendent, before 919
entering upon his official duties, shall give bond with 920
sufficient surety to the judge or to the board, as the case may 921
be, in such amount as may be fixed by the judge or the board, 922
such bond being conditioned upon the full and faithful 923
accounting of the funds and properties coming into his the 924
superintendent's hands. 925

Compensation of the superintendent and other necessary 926
employees of a school, forestry camp, or other facility or 927
facilities shall be fixed by the judge in the case of a county 928
facility, or by the board of trustees in the case of a district 929
facility. Such compensation and other expenses of maintaining 930
the facility shall be paid in the manner prescribed in section 931
2151.13 of the Revised Code in the case of a county facility, or 932
in accordance with rules and regulations provided for in section 933
2151.77 of the Revised Code in the case of a district facility. 934

The superintendent of a facility shall appoint all 935
employees of such facility. All such employees, except the 936
superintendent, shall be in the classified civil service. 937

The superintendent of a school, forestry camp, or other 938
facility shall have entire executive charge of such facility, 939
under supervision of the judge, in the case of a county 940

facility, or under supervision of the board of trustees, in the 941
case of a district facility. The superintendent shall control, 942
manage, and operate the facility, and shall have custody of its 943
property, files, and records. 944

Sec. 2152.42. (A) Any detention facility established under 945
section 2152.41 of the Revised Code shall be under the direction 946
of a superintendent. The superintendent shall be appointed by, 947
and under the direction of, the judge or judges or, for a 948
district facility, the board of trustees of the facility. The 949
superintendent serves at the pleasure of the juvenile court or, 950
in a district detention facility, at the pleasure of the board 951
of trustees. 952

~~Before~~ Except as otherwise provided in section 3.061 of 953
the Revised Code, before commencing work as superintendent, the 954
person appointed shall obtain a bond, with sufficient surety, 955
conditioned upon the full and faithful accounting of the funds 956
and properties under the superintendent's control. 957

The superintendent, under the supervision and subject to 958
the rules and regulations of the board, shall control, manage, 959
operate, and have general charge of the facility and shall have 960
the custody of its property, files, and records. 961

(B) For a county facility, the superintendent shall 962
appoint all employees of the facility, who shall be in the 963
unclassified civil service. The salaries shall be paid as 964
provided by section 2151.13 of the Revised Code for other 965
employees of the court, and the necessary expenses incurred in 966
maintaining the facility shall be paid by the county. 967

For a district facility, the superintendent shall appoint 968
other employees of the facility and fix their compensation, 969

subject to approval of the board of trustees. Employees of a district facility, except for the superintendent, shall be in the classified civil service.

(C) During the school year, when possible, a comparable educational program with competent and trained staff shall be provided for children of school age who are in the facility. A sufficient number of trained recreational personnel shall be included among the staff. Medical and mental health services shall be made available.

Sec. 3721.15. (A) Authorization from a resident or a sponsor with a power of attorney for a home to manage the resident's financial affairs shall be in writing and shall be attested to by a witness who is not connected in any manner whatsoever with the home or its administrator. The home shall maintain accounts pursuant to division (A) (27) of section 3721.13 of the Revised Code. Upon the resident's transfer, discharge, or death, the account shall be closed and a final accounting made. All remaining funds shall be returned to the resident or resident's sponsor, except in the case of death, when all remaining funds shall be transferred or used in accordance with section 5162.22 of the Revised Code.

(B) A home that manages a resident's financial affairs shall deposit the resident's funds in excess of one thousand dollars, and may deposit the resident's funds that are one thousand dollars or less, in an interest-bearing account separate from any of the home's operating accounts. Interest earned on the resident's funds shall be credited to the resident's account. A resident's funds that are one thousand dollars or less and have not been deposited in an interest-bearing account may be deposited in a noninterest-bearing

account or petty cash fund. 1000

(C) Each resident whose financial affairs are managed by a 1001
home shall be promptly notified by the home when the total of 1002
the amount of funds in the resident's accounts and the petty 1003
cash fund plus other nonexempt resources reaches two hundred 1004
dollars less than the maximum amount permitted a recipient of 1005
medicaid. The notice shall include an explanation of the 1006
potential effect on the resident's eligibility for medicaid if 1007
the amount in the resident's accounts and the petty cash fund, 1008
plus the value of other nonexempt resources, exceeds the maximum 1009
assets a medicaid recipient may retain. 1010

(D) ~~Each~~ Except as otherwise provided in section 3.061 of 1011
the Revised Code, each home that manages the financial affairs 1012
of residents shall purchase a surety bond or otherwise provide 1013
assurance satisfactory to the director of health, or, in the 1014
case of a home that participates in the medicaid program, to the 1015
medicaid director, to assure the security of all residents' 1016
funds managed by the home. 1017

Sec. 3735.27. (A) Whenever the director of development has 1018
determined that there is need for a housing authority in any 1019
portion of any county that comprises two or more political 1020
subdivisions or portions of two or more political subdivisions 1021
but is less than all the territory within the county, a 1022
metropolitan housing authority shall be declared to exist, and 1023
the territorial limits of the authority shall be defined, by a 1024
letter from the director. The director shall issue a 1025
determination from the department of development declaring that 1026
there is need for a housing authority within those territorial 1027
limits after finding either of the following: 1028

(1) Unsanitary or unsafe inhabited housing accommodations 1029

exist in that area; 1030

(2) There is a shortage of safe and sanitary housing 1031
accommodations in that area available to persons who lack the 1032
amount of income that is necessary, as determined by the 1033
director, to enable them, without financial assistance, to live 1034
in decent, safe, and sanitary dwellings without congestion. 1035

In determining whether dwelling accommodations are unsafe 1036
or unsanitary, the director may take into consideration the 1037
degree of congestion, the percentage of land coverage, the 1038
light, air, space, and access available to the inhabitants of 1039
the dwelling accommodations, the size and arrangement of rooms, 1040
the sanitary facilities, and the extent to which conditions 1041
exist in the dwelling accommodations that endanger life or 1042
property by fire or other causes. 1043

The territorial limits of a metropolitan housing authority 1044
as defined by the director under this division shall be fixed 1045
for the authority upon proof of a letter from the director 1046
declaring the need for the authority to function in those 1047
territorial limits. Any such letter from the director, any 1048
certificate of determination issued by the director, and any 1049
certificate of appointment of members of the authority shall be 1050
admissible in evidence in any suit, action, or proceeding. 1051

A certified copy of the letter from the director declaring 1052
the existence of a metropolitan housing authority and the 1053
territorial limits of its district shall be immediately 1054
forwarded to each appointing authority. A metropolitan housing 1055
authority shall consist of members who are residents of the 1056
territory in which they serve. 1057

(B) (1) Except as otherwise provided in division (C), (D), 1058

(E), or (F) of this section, the members of a metropolitan housing authority shall be appointed as follows:

(a) (i) In a district in a county in which a charter has been adopted under Article X, Section 3 of the Ohio Constitution, and in which the most populous city is not the city with the largest ratio of housing units owned or managed by the authority to population, one member shall be appointed by the probate court, one member shall be appointed by the court of common pleas, one member shall be appointed by the board of county commissioners, one member shall be appointed by the chief executive officer of the city or board of township trustees of the township that has the largest ratio of housing units owned or managed by the authority to population, within the city or within the unincorporated territory of the township, and two members shall be appointed by the chief executive officer of the most populous city in the district.

(ii) If, in a district that appoints members pursuant to division (B) (1) (a) of this section, the most populous city becomes the city with the largest ratio of housing units owned or managed by the authority to population whose chief executive officer appoints a member under division (B) (1) (a) (i) of this section, when the term of office of the member who was appointed by the chief executive officer of the city with the largest ratio expires, that member shall not be reappointed, and the membership of the authority shall be as described in division (B) (1) (b) of this section.

(b) In any district other than one described in division (B) (1) (a) of this section, one member shall be appointed by the probate court, one member shall be appointed by the court of common pleas, one member shall be appointed by the board of

county commissioners, and two members shall be appointed by the 1089
chief executive officer of the most populous city in the 1090
district. 1091

(2) At the time of the initial appointment of the 1092
authority, the member appointed by the probate court shall be 1093
appointed for a period of four years, the member appointed by 1094
the court of common pleas shall be appointed for three years, 1095
the member appointed by the board of county commissioners shall 1096
be appointed for two years, one member appointed by the chief 1097
executive officer of the most populous city in the district 1098
shall be appointed for one year, and the other member appointed 1099
by the chief executive officer of the most populous city in the 1100
district shall be appointed for five years. 1101

If appointments are made under division (B) (1) (a) of this 1102
section, the member appointed by the chief executive officer of 1103
the city ~~in the district that is not the most populous city, but~~ 1104
~~that has~~ or board of township trustees of the township with the 1105
largest ratio ~~of housing units owned or managed by the authority~~ 1106
~~to population,~~ shall be appointed for five years. 1107

After the initial appointments, all members of the 1108
authority shall be appointed for five-year terms, and any 1109
vacancy occurring upon the expiration of a term shall be filled 1110
by the appointing authority that made the initial appointment. 1111

(3) For purposes of this division, population shall be 1112
determined according to the last preceding federal census. 1113

(C) For any metropolitan housing authority district that 1114
contained, as of the 1990 federal census, a population of at 1115
least one million, two members of the authority shall be 1116
appointed by the legislative authority of the most populous city 1117

in the district, two members shall be appointed by the chief 1118
executive officer of the most populous city in the district, and 1119
one member shall be appointed by the chief executive officer, 1120
with the approval of the legislative authority, of the city in 1121
the district that has the second highest number of housing units 1122
owned or managed by the authority. 1123

At the time of the initial appointment of the authority, 1124
one member appointed by the legislative authority of the most 1125
populous city in the district shall be appointed for three 1126
years, and one such member shall be appointed for one year; the 1127
member appointed by the chief executive officer of the city with 1128
the second highest number of housing units owned or managed by 1129
the authority shall be appointed, with the approval of the 1130
legislative authority, for three years; and one member appointed 1131
by the chief executive officer of the most populous city in the 1132
district shall be appointed for three years, and one such member 1133
shall be appointed for one year. Thereafter, all members of the 1134
authority shall be appointed for three-year terms, and any 1135
vacancy shall be filled by the same appointing power that made 1136
the initial appointment. At the expiration of the term of any 1137
member appointed by the chief executive officer of the most 1138
populous city in the district before March 15, 1983, the chief 1139
executive officer of the most populous city in the district 1140
shall fill the vacancy by appointment for a three-year term. At 1141
the expiration of the term of any member appointed by the board 1142
of county commissioners before March 15, 1983, the chief 1143
executive officer of the city in the district with the second 1144
highest number of housing units owned or managed by the 1145
authority shall, with the approval of the municipal legislative 1146
authority, fill the vacancy by appointment for a three-year 1147
term. At the expiration of the term of any member appointed 1148

before March 15, 1983, by the court of common pleas or the 1149
probate court, the legislative authority of the most populous 1150
city in the district shall fill the vacancy by appointment for a 1151
three-year term. 1152

After March 15, 1983, at least one of the members 1153
appointed by the chief executive officer of the most populous 1154
city shall be a resident of a dwelling unit owned or managed by 1155
the authority. At least one of the initial appointments by the 1156
chief executive officer of the most populous city, after March 1157
15, 1983, shall be a resident of a dwelling unit owned or 1158
managed by the authority. Thereafter, any member appointed by 1159
the chief executive officer of the most populous city for the 1160
term established by this initial appointment, or for any 1161
succeeding term, shall be a person who resides in a dwelling 1162
unit owned or managed by the authority. If there is an elected, 1163
representative body of all residents of the authority, the chief 1164
executive officer of the most populous city shall, whenever 1165
there is a vacancy in this resident term, provide written notice 1166
of the vacancy to the representative body. If the representative 1167
body submits to the chief executive officer of the most populous 1168
city, in writing and within sixty days after the date on which 1169
it was notified of the vacancy, the names of at least five 1170
residents of the authority who are willing and qualified to 1171
serve as a member, the chief executive officer of the most 1172
populous city shall appoint to the resident term one of the 1173
residents recommended by the representative body. At no time 1174
shall residents constitute a majority of the members of the 1175
authority. 1176

(D) (1) For any metropolitan housing authority district 1177
that is located in a county that has, according to the most 1178
recent federal decennial census, a population greater than seven 1179

hundred thousand but less than nine hundred thousand, the 1180
members of the metropolitan housing authority shall be selected 1181
as follows: 1182

(a) One member shall be appointed by the probate court. 1183

(b) One member shall be appointed by the court of common 1184
pleas. 1185

(c) One member shall be appointed by the board of county 1186
commissioners. 1187

(d) Two members shall be appointed by the mayor of the 1188
most populous city in the district, subject to approval by city 1189
council. At least one of the initial appointments by the mayor 1190
shall be a resident of a dwelling unit owned or managed by the 1191
authority. Thereafter, any member appointed by the mayor of the 1192
most populous city for the term established by the initial 1193
appointment, or for any succeeding term, shall be a person who 1194
resides in a dwelling unit owned or managed by the authority. If 1195
there is an elected, representative body of all residents of the 1196
authority, the mayor of the most populous city shall, whenever 1197
there is a vacancy in the resident term, provide written notice 1198
of the vacancy to the representative body. If the representative 1199
body submits to the mayor of the most populous city, in writing 1200
and within sixty days after the date on which it was notified of 1201
the vacancy, the names of at least five residents of the 1202
authority who are willing and qualified to serve as a member, 1203
the mayor of the most populous city shall appoint to the 1204
resident term one of the residents recommended by the 1205
representative body. At no time shall residents constitute a 1206
majority of the members of the authority. 1207

(e) One member shall be nominated by the township 1208

association of the county. The name of the nominee submitted by 1209
the township association of the county shall be sent to the 1210
board of county commissioners and the executive director of the 1211
metropolitan housing authority, if applicable. The board of 1212
county commissioners shall accept or reject the nominee. 1213

(f) One member shall be nominated by the municipal league 1214
of the county. The name of the nominee submitted by the 1215
municipal league of the county shall be sent to the board of 1216
county commissioners and the executive director of the 1217
metropolitan housing authority, if applicable. The nominee shall 1218
not be a resident of the district's most populous city and shall 1219
represent a city that is substantially impacted as described in 1220
division (I) of this section. The board of county commissioners 1221
shall accept or reject the nominee. 1222

(2) At the time of the initial appointment of the 1223
authority described in division (D) (1) of this section, the 1224
member appointed by the probate court shall be appointed for a 1225
period of four years; the member appointed by the court of 1226
common pleas shall be appointed for three years; the member 1227
appointed by the board of county commissioners shall be 1228
appointed for two years; one member appointed by the mayor of 1229
the most populous city in the district shall be appointed for 1230
one year, and the other member appointed by the mayor of the 1231
most populous city in the district shall be appointed for five 1232
years; the member nominated by the township association of the 1233
county shall be appointed for the same number of years as the 1234
nonresident member of the authority appointed by the mayor of 1235
the most populous city in the district; and the member nominated 1236
by the municipal league of the county shall be appointed for the 1237
same number of years as the resident member of the authority 1238
appointed by the mayor of the most populous city in the 1239

district. 1240

After the initial appointments, all members of the 1241
authority shall be appointed for five-year terms, and any 1242
vacancy occurring upon the expiration of a term shall be filled 1243
by the authority that made the initial appointment or 1244
nomination. 1245

(E) (1) For any metropolitan housing authority district 1246
located in a county that had, as of the 2000 federal census, a 1247
population of at least four hundred thousand and no city with a 1248
population greater than thirty per cent of the total population 1249
of the county, one member of the authority shall be appointed by 1250
the probate court, one member shall be appointed by the court of 1251
common pleas, one member shall be appointed by the chief 1252
executive officer of the most populous city in the district, and 1253
two members shall be appointed by the board of county 1254
commissioners. 1255

(2) At the time of the initial appointment of a 1256
metropolitan housing authority pursuant to this division, the 1257
member appointed by the probate court shall be appointed for a 1258
period of four years, the member appointed by the court of 1259
common pleas shall be appointed for three years, the member 1260
appointed by the chief executive officer of the most populous 1261
city shall be appointed for two years, one member appointed by 1262
the board of county commissioners shall be appointed for one 1263
year, and the other member appointed by the board of county 1264
commissioners shall be appointed for five years. Thereafter, all 1265
members of the authority shall be appointed for five-year terms, 1266
with each term ending on the same day of the same month as the 1267
term that it succeeds. Vacancies shall be filled in the manner 1268
provided in the original appointments. Any member appointed to 1269

fill a vacancy occurring prior to the expiration of the term 1270
shall hold office as a member for the remainder of that term. 1271

(F) (1) One resident member shall be appointed to a 1272
metropolitan housing authority when required by federal law. The 1273
chief executive officer of the most populous city in the 1274
district shall appoint that resident member for a term of five 1275
years. Subsequent terms of that resident member also shall be 1276
for five years, and any vacancy in the position of the resident 1277
member shall be filled by the chief executive officer of the 1278
most populous city in the district. Any member appointed to fill 1279
such a vacancy shall hold office as a resident member for the 1280
remainder of that term. If, at any time, a resident member no 1281
longer qualifies as a resident, another resident member shall be 1282
appointed by the appointing authority who originally appointed 1283
the resident member to serve for the unexpired portion of that 1284
term. 1285

(2) On and after September 29, 2005, any metropolitan 1286
housing authority to which two additional members were appointed 1287
pursuant to former division (E) (1) of this section as enacted by 1288
Amended Substitute House Bill No. 95 of the 125th general 1289
assembly shall continue to have those additional members. Their 1290
terms shall be for five years, and vacancies in their positions 1291
shall be filled in the manner provided for their original 1292
appointment under former division (E) (1) of this section as so 1293
enacted. 1294

(G) Public officials, other than the officers having the 1295
appointing power under this section, shall be eligible to serve 1296
as members, officers, or employees of a metropolitan housing 1297
authority notwithstanding any statute, charter, or law to the 1298
contrary. Not more than two such public officials shall be 1299

members of the authority at any one time. 1300

All members of an authority shall serve without 1301
compensation but shall be entitled to be reimbursed for all 1302
necessary expenses incurred. 1303

After a metropolitan housing authority district is formed, 1304
the director may enlarge the territory within the district to 1305
include other political subdivisions, or portions of other 1306
political subdivisions, but the territorial limits of the 1307
district shall be less than that of the county. 1308

(H) (1) Any vote taken by a metropolitan housing authority 1309
shall require a majority affirmative vote to pass. A tie vote 1310
shall constitute a defeat of any measure receiving equal numbers 1311
of votes for and against it. 1312

(2) The members of a metropolitan housing authority shall 1313
act in the best interest of the district and shall not act 1314
solely as representatives of their respective appointing 1315
authorities. 1316

(I) "Substantially impacted" as used in division (D) (1) (f) 1317
of this section means a city within a metropolitan housing 1318
authority that, based on the percentage of housing units that 1319
are subsidized housing, is in the top one-third of cities within 1320
the county. 1321

Sec. 4503.03. (A) (1) (a) Except as provided in division (B) 1322
of this section, the registrar of motor vehicles may designate 1323
one or more of the following persons to act as a deputy 1324
registrar in each county: 1325

(i) The county auditor in any county, subject to division 1326
(A) (1) (b) (i) of this section; 1327

(ii) The clerk of a court of common pleas in any county, 1328
subject to division (A) (1) (b) (ii) of this section; 1329

(iii) An individual; 1330

(iv) A nonprofit corporation as defined in division (C) of 1331
section 1702.01 of the Revised Code. 1332

(b) (i) If the population of a county is forty thousand or 1333
less according to the most recent federal decennial census and 1334
if the county auditor is designated by the registrar as a deputy 1335
registrar, no other person need be designated in the county to 1336
act as a deputy registrar. 1337

(ii) The registrar may designate a clerk of a court of 1338
common pleas as a deputy registrar if the population of the 1339
county is forty thousand or less according to the last federal 1340
census. In a county with a population greater than forty 1341
thousand but not more than fifty thousand according to the last 1342
federal census, the clerk of a court of common pleas is eligible 1343
to act as a deputy registrar and may participate in the 1344
competitive selection process for the award of a deputy 1345
registrar contract by applying in the same manner as any other 1346
person. All fees collected and retained by a clerk for 1347
conducting deputy registrar services shall be paid into the 1348
county treasury to the credit of the certificate of title 1349
administration fund created under section 325.33 of the Revised 1350
Code. 1351

Notwithstanding the county population restrictions in 1352
division (A) (1) (b) of this section, if no person applies to act 1353
under contract as a deputy registrar in a county and the county 1354
auditor is not designated as a deputy registrar, the registrar 1355
may ask the clerk of a court of common pleas to serve as the 1356

deputy registrar for that county. 1357

(c) As part of the selection process in awarding a deputy registrar contract, the registrar shall consider the customer service performance record of any person previously awarded a deputy registrar contract pursuant to division (A) (1) of this section. 1358
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(2) Deputy registrars shall accept applications for the annual license tax for any vehicle not taxed under section 4503.63 of the Revised Code and shall assign distinctive numbers in the same manner as the registrar. Such deputies shall be located in such locations in the county as the registrar sees fit. There shall be at least one deputy registrar in each county. 1363
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Deputy registrar contracts are subject to the provisions of division (B) of section 125.081 of the Revised Code. 1370
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(B) (1) The registrar shall not designate any person to act as a deputy registrar under division (A) (1) of this section if the person or, where applicable, the person's spouse or a member of the person's immediate family has made, within the current calendar year or any one of the previous three calendar years, one or more contributions totaling in excess of one hundred dollars to any person or entity included in division (A) (2) of section 4503.033 of the Revised Code. As used in this division, "immediate family" has the same meaning as in division (D) of section 102.01 of the Revised Code, and "entity" includes any political party and any "continuing association" as defined in division (C) (4) of section 3517.01 of the Revised Code or "political action committee" as defined in division (C) (8) of that section that is primarily associated with that political party. For purposes of this division, contributions to any 1372
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continuing association or any political action committee that is 1387
primarily associated with a political party shall be aggregated 1388
with contributions to that political party. 1389

The contribution limitations contained in this division do 1390
not apply to any county auditor or clerk of a court of common 1391
pleas. A county auditor or clerk of a court of common pleas is 1392
not required to file the disclosure statement or pay the filing 1393
fee required under section 4503.033 of the Revised Code. The 1394
limitations of this division also do not apply to a deputy 1395
registrar who, subsequent to being awarded a deputy registrar 1396
contract, is elected to an office of a political subdivision. 1397

(2) The registrar shall not designate either of the 1398
following to act as a deputy registrar: 1399

(a) Any elected public official other than a county 1400
auditor or, as authorized by division (A)(1)(b) of this section, 1401
a clerk of a court of common pleas, acting in an official 1402
capacity, except that, the registrar shall continue and may 1403
renew a contract with any deputy registrar who, subsequent to 1404
being awarded a deputy registrar contract, is elected to an 1405
office of a political subdivision; 1406

(b) Any person holding a current, valid contract to 1407
conduct motor vehicle inspections under section 3704.14 of the 1408
Revised Code. 1409

(3) As used in division (B) of this section, "political 1410
subdivision" has the same meaning as in section 3501.01 of the 1411
Revised Code. 1412

(C)(1) Except as provided in division (C)(2) of this 1413
section, deputy registrars are independent contractors and 1414
neither they nor their employees are employees of this state, 1415

except that nothing in this section shall affect the status of 1416
county auditors or clerks of courts of common pleas as public 1417
officials, nor the status of their employees as employees of any 1418
of the counties of this state, which are political subdivisions 1419
of this state. Each deputy registrar shall be responsible for 1420
the payment of all unemployment compensation premiums, all 1421
workers' compensation premiums, social security contributions, 1422
and any and all taxes for which the deputy registrar is legally 1423
responsible. Each deputy registrar shall comply with all 1424
applicable federal, state, and local laws requiring the 1425
withholding of income taxes or other taxes from the compensation 1426
of the deputy registrar's employees. Each deputy registrar shall 1427
maintain during the entire term of the deputy registrar's 1428
contract a policy of business liability insurance satisfactory 1429
to the registrar and shall hold the department of public safety, 1430
the director of public safety, the bureau of motor vehicles, and 1431
the registrar harmless upon any and all claims for damages 1432
arising out of the operation of the deputy registrar agency. 1433

(2) For purposes of Chapter 4141. of the Revised Code, 1434
determinations concerning the employment of deputy registrars 1435
and their employees shall be made under Chapter 4141. of the 1436
Revised Code. 1437

(D) (1) With the approval of the director, the registrar 1438
shall adopt rules governing deputy registrars. The rules shall 1439
do all of the following: 1440

(a) Establish requirements governing the terms of the 1441
contract between the registrar and each deputy registrar and the 1442
services to be performed; 1443

(b) Establish requirements governing the amount of bond to 1444
be given as provided in this section; 1445

- (c) Establish requirements governing the size and location of the deputy's office; 1446
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- (d) Establish requirements governing the leasing of equipment necessary to conduct the vision screenings required under section 4507.12 of the Revised Code and training in the use of the equipment; 1448
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- (e) Encourage every deputy registrar to inform the public of the location of the deputy registrar's office and hours of operation by means of public service announcements; 1452
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- (f) Allow any deputy registrar to advertise in regard to the operation of the deputy registrar's office, including allowing nonprofit corporations operating as a deputy registrar to advertise that a specified amount of proceeds collected by the nonprofit corporation are directed to a specified charitable organization or philanthropic cause; 1455
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- (g) Specify the hours the deputy's office is to be open to the public and require as a minimum that one deputy's office in each county be open to the public for at least four hours each weekend, provided that if only one deputy's office is located within the boundary of the county seat, that office is the office that shall be open for the four-hour period each weekend; 1461
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- (h) Specify that every deputy registrar, upon request, provide any person with information about the location and office hours of all deputy registrars in the county; 1467
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- (i) Allow a deputy registrar contract to be awarded to a nonprofit corporation formed under the laws of this state; 1470
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- (j) Except as provided in division (D) (2) of this section, prohibit any deputy registrar from operating more than one deputy registrar's office at any time; 1472
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(k) For the duration of any deputy registrar contract, 1475
require that the deputy registrar occupy a primary residence in 1476
a location that is within a one-hour commute time from the 1477
deputy registrar's office or offices. The rules shall require 1478
the registrar to determine commute time by using multiple 1479
established internet-based mapping services. 1480

(l) Establish procedures for a deputy registrar to request 1481
the authority to collect reinstatement fees under sections 1482
4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 1483
4510.72, and 4511.191 of the Revised Code and to transmit the 1484
reinstatement fees and two dollars of the service fee collected 1485
under those sections. The registrar shall ensure that at least 1486
one deputy registrar in each county has the necessary equipment 1487
and is able to accept reinstatement fees. The registrar shall 1488
deposit the service fees received from a deputy registrar under 1489
those sections into the public safety - highway purposes fund 1490
created in section 4501.06 of the Revised Code and shall use the 1491
money for deputy registrar equipment necessary in connection 1492
with accepting reinstatement fees. 1493

(m) Establish standards for a deputy registrar, when the 1494
deputy registrar is not a county auditor or a clerk of a court 1495
of common pleas, to sell advertising rights to third party 1496
businesses to be placed in the deputy registrar's office; 1497

(n) Allow any deputy registrar that is not a county 1498
auditor or a clerk of a court of common pleas to operate a 1499
vending machine; 1500

(o) Establish such other requirements as the registrar and 1501
director consider necessary to provide a high level of service. 1502

(2) Notwithstanding division (D) (1) (j) of this section, 1503

the rules may allow both of the following: 1504

(a) The registrar to award a contract to a deputy registrar to operate more than one deputy registrar's office if determined by the registrar to be practical; 1505
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(b) A nonprofit corporation formed for the purposes of providing automobile-related services to its members or the public and that provides such services from more than one location in this state to operate a deputy registrar office at any location. 1508
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(3) As a daily adjustment, the bureau of motor vehicles shall credit to a deputy registrar the amount established under section 4503.038 of the Revised Code for each damaged license plate or validation sticker the deputy registrar replaces as a service to a member of the public. 1513
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(4) (a) With the prior approval of the registrar, each deputy registrar may conduct at the location of the deputy registrar's office any business that is consistent with the functions of a deputy registrar and that is not specifically mandated or authorized by this or another chapter of the Revised Code or by implementing rules of the registrar. 1518
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(b) In accordance with guidelines the director of public safety shall establish, a deputy registrar may operate or contract for the operation of a vending machine at a deputy registrar location if products of the vending machine are consistent with the functions of a deputy registrar. 1524
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(c) A deputy registrar may enter into an agreement with the Ohio turnpike and infrastructure commission pursuant to division (A)(11) of section 5537.04 of the Revised Code for the purpose of allowing the general public to acquire from the 1529
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deputy registrar the electronic toll collection devices that are 1533
used under the multi-jurisdiction electronic toll collection 1534
agreement between the Ohio turnpike and infrastructure 1535
commission and any other entities or agencies that participate 1536
in such an agreement. The approval of the registrar is not 1537
necessary if a deputy registrar engages in this activity. 1538

(5) As used in this section and in section 4507.01 of the 1539
Revised Code, "nonprofit corporation" has the same meaning as in 1540
section 1702.01 of the Revised Code. 1541

(E) (1) Unless otherwise terminated and except for interim 1542
contracts lasting not longer than one year, contracts with 1543
deputy registrars shall be entered into through a competitive 1544
selection process and shall be limited in duration as follows: 1545

(a) For contracts entered into between July 1, 1996 and 1546
June 29, 2014, for a period of not less than two years, but not 1547
more than three years; 1548

(b) For contracts entered into on or after June 29, 2014, 1549
for a period of five years, unless the registrar determines that 1550
a shorter contract term is appropriate for a particular deputy 1551
registrar. 1552

(2) All contracts with deputy registrars shall expire on 1553
the last Saturday of June in the year of their expiration. Prior 1554
to the expiration of any deputy registrar contract, the 1555
registrar, with the approval of the director, may award a one- 1556
year contract extension to any deputy registrar who has provided 1557
exemplary service based upon objective performance evaluations. 1558

(3) (a) The auditor of state may examine the accounts, 1559
reports, systems, and other data of each deputy registrar at 1560
least every two years. The registrar, with the approval of the 1561

director, shall immediately remove a deputy who violates any 1562
provision of the Revised Code related to the duties as a deputy, 1563
any rule adopted by the registrar, or a term of the deputy's 1564
contract with the registrar. The registrar also may remove a 1565
deputy who, in the opinion of the registrar, has engaged in any 1566
conduct that is either unbecoming to one representing this state 1567
or is inconsistent with the efficient operation of the deputy's 1568
office. 1569

(b) If the registrar, with the approval of the director, 1570
determines that there is good cause to believe that a deputy 1571
registrar or a person proposing for a deputy registrar contract 1572
has engaged in any conduct that would require the denial or 1573
termination of the deputy registrar contract, the registrar may 1574
require the production of books, records, and papers as the 1575
registrar determines are necessary, and may take the depositions 1576
of witnesses residing within or outside the state in the same 1577
manner as is prescribed by law for the taking of depositions in 1578
civil actions in the court of common pleas, and for that purpose 1579
the registrar may issue a subpoena for any witness or a subpoena 1580
duces tecum to compel the production of any books, records, or 1581
papers, directed to the sheriff of the county where the witness 1582
resides or is found. Such a subpoena shall be served and 1583
returned in the same manner as a subpoena in a criminal case is 1584
served and returned. The fees of the sheriff shall be the same 1585
as that allowed in the court of common pleas in criminal cases. 1586
Witnesses shall be paid the fees and mileage provided for under 1587
section 119.094 of the Revised Code. The fees and mileage shall 1588
be paid from the fund in the state treasury for the use of the 1589
agency in the same manner as other expenses of the agency are 1590
paid. 1591

In any case of disobedience or neglect of any subpoena 1592

served on any person or the refusal of any witness to testify to 1593
any matter regarding which the witness lawfully may be 1594
interrogated, the court of common pleas of any county where the 1595
disobedience, neglect, or refusal occurs or any judge of that 1596
court, on application by the registrar, shall compel obedience 1597
by attachment proceedings for contempt, as in the case of 1598
disobedience of the requirements of a subpoena issued from that 1599
court, or a refusal to testify in that court. 1600

(4) Nothing in division (E) of this section shall be 1601
construed to require a hearing of any nature prior to the 1602
termination of any deputy registrar contract by the registrar, 1603
with the approval of the director, for cause. 1604

(F) Except as provided in section 2743.03 of the Revised 1605
Code, no court, other than the court of common pleas of Franklin 1606
county, has jurisdiction of any action against the department of 1607
public safety, the director, the bureau, or the registrar to 1608
restrain the exercise of any power or authority, or to entertain 1609
any action for declaratory judgment, in the selection and 1610
appointment of, or contracting with, deputy registrars. Neither 1611
the department, the director, the bureau, nor the registrar is 1612
liable in any action at law for damages sustained by any person 1613
because of any acts of the department, the director, the bureau, 1614
or the registrar, or of any employee of the department or 1615
bureau, in the performance of official duties in the selection 1616
and appointment of, and contracting with, deputy registrars. 1617

(G) The registrar shall assign to each deputy registrar a 1618
series of numbers sufficient to supply the demand at all times 1619
in the area the deputy registrar serves, and the registrar shall 1620
keep a record in the registrar's office of the numbers within 1621
the series assigned. ~~Each~~ Except as otherwise provided in 1622

section 3.061 of the Revised Code, each deputy shall be required 1623
to give bond in the amount of at least twenty-five thousand 1624
dollars, or in such higher amount as the registrar determines 1625
necessary, based on a uniform schedule of bond amounts 1626
established by the registrar and determined by the volume of 1627
registrations handled by the deputy. The form of the bond shall 1628
be prescribed by the registrar. The bonds required of deputy 1629
registrars, in the discretion of the registrar, may be 1630
individual or schedule bonds or may be included in any blanket 1631
bond coverage carried by the department. 1632

(H) Each deputy registrar shall keep a file of each 1633
application received by the deputy and shall register that motor 1634
vehicle with the name and address of its owner. 1635

(I) Upon request, a deputy registrar shall make the 1636
physical inspection of a motor vehicle and issue the physical 1637
inspection certificate required in section 4505.061 of the 1638
Revised Code. 1639

(J) Each deputy registrar shall file a report semiannually 1640
with the registrar of motor vehicles listing the number of 1641
applicants for licenses the deputy has served, the number of 1642
voter registration applications the deputy has completed and 1643
transmitted to the board of elections, and the number of voter 1644
registration applications declined. 1645

Sec. 4765.43. (A) During each emergency run made by an 1646
ambulance that is equipped for emergency medical services, the 1647
emergency medical service organization operating the ambulance 1648
shall staff the ambulance in accordance with this section. 1649

For purposes of determining the applicable staffing 1650
requirements, both of the following apply: 1651

(1) An emergency run consists of components that are 1652
distinguished between the period during which the ambulance is 1653
traveling to the scene of an emergency and, if applicable, the 1654
period during which the ambulance is transporting a patient from 1655
the scene of the emergency. 1656

(2) In the case of an emergency medical service 1657
organization that utilizes a combination of volunteer and paid 1658
first responders, emergency medical service technicians-basic, 1659
emergency medical service technicians-intermediate, or emergency 1660
medical service technicians-paramedic, the organization is 1661
considered to be substantially utilizing volunteers in a 1662
particular week when the paid individuals, taken as a whole, are 1663
scheduled for a total of not more than one hundred ninety-two 1664
hours in that week. 1665

(B) With respect to the driver of an ambulance during an 1666
emergency run, both of the following apply: 1667

(1) The driver must be at least eighteen years of age and 1668
hold a valid driver's license. 1669

(2) The driver must meet at least one of the following 1670
criteria: 1671

(a) Hold a valid certificate issued under section 4765.30 1672
of the Revised Code to practice as a medical first responder, 1673
EMT, advanced EMT, or paramedic; 1674

(b) Hold a valid fire training certificate issued pursuant 1675
to section 4765.55 of the Revised Code to provide services as a 1676
firefighter; 1677

(c) Be employed and in good standing as a sworn sheriff, 1678
deputy sheriff, constable, police officer, marshal, deputy 1679
marshal, or highway patrol trooper in this state; 1680

(d) Have successfully completed either the emergency 1681
vehicle operations course approved by the national highway 1682
traffic safety administration or an equivalent course approved 1683
by the state board of emergency medical services. 1684

(C) With respect to the component of an emergency run 1685
during which the ambulance is traveling to the scene of the 1686
emergency, the ambulance shall be staffed by at least one of the 1687
following: 1688

(1) An EMT; 1689

(2) An advanced EMT; 1690

(3) A paramedic; 1691

(4) A first responder without an EMT, advanced EMT, or 1692
paramedic, provided that the first responder is meeting an EMT, 1693
advanced EMT, or paramedic at the scene of the emergency. This 1694
individual may serve as the driver. 1695

(D) With respect to the component of an emergency run 1696
during which a patient is being transported, the ambulance shall 1697
be staffed as follows: 1698

(1) If the emergency medical service organization utilizes 1699
only paid individuals or utilizes volunteers on a basis that is 1700
not considered to be substantially utilizing volunteers, the 1701
ambulance shall be staffed by at least two EMTs, advanced EMTs, 1702
or paramedics. One of these individuals may serve as the driver. 1703

(2) If the emergency medical service organization is 1704
substantially utilizing volunteers or utilizes only volunteers, 1705
the ambulance shall be staffed by at least two EMTs, advanced 1706
EMTs, or paramedics or by at least one first responder and one 1707
EMT, advanced EMT, or paramedic. One of these individuals may 1708

serve as the driver, but if the staffing requirement is being 1709
met by utilizing a medical first responder, the medical first 1710
responder shall serve as the driver. 1711

Sec. 5153.13. ~~Before~~ Except as otherwise provided in 1712
section 3.061 of the Revised Code, before entering upon official 1713
duties, the executive director shall give a bond to the county 1714
in such sum as is fixed by the public children services agency, 1715
with sufficient surety, conditioned upon the faithful 1716
performance of official duties and the full and faithful 1717
accounting of all funds and properties of the agency or county 1718
coming into the executive director's hands. ~~Before~~ Except as 1719
otherwise provided in section 3.061 of the Revised Code, before 1720
entering upon such duties, the executive director shall give a 1721
bond to the probate court, with sufficient surety, conditioned 1722
upon the full and faithful accounting of all trust funds which 1723
the executive director holds on behalf of wards. The amount of 1724
such bond shall be determined by the court and may be modified 1725
by the court, provided that the minimum amount of the bond shall 1726
be five thousand dollars. 1727

The agency may require any other employee thereof, 1728
including the superintendent of the children's home, having 1729
custody or control of funds or property, to give bond to the 1730
county, except as otherwise provided in section 3.061 of the 1731
Revised Code, in such sum as the board determines, with 1732
sufficient surety, conditioned upon the faithful performance of 1733
the duties of such employee and the full and faithful accounting 1734
of any funds and properties coming into the employee's hands. 1735
The cost of such bonds shall be paid by the agency. 1736

Sec. 5571.16. The board of township trustees, by 1737
resolution, may require any person to obtain a permit before 1738

installing a driveway culvert or making any excavation in a 1739
township highway or highway right-of-way within its 1740
jurisdiction, except an excavation to repair, rehabilitate, or 1741
replace a pole already installed for the purpose of providing 1742
electric or telecommunications service. The board, as a 1743
condition to the granting of the permit, may do any of the 1744
following: 1745

(A) Require the applicant to submit plans indicating the 1746
location, size, type, and duration of the culvert or excavation 1747
contemplated; 1748

(B) Specify methods of excavation, refilling, and 1749
resurfacing to be followed; 1750

(C) Require the use of warning devices it considers 1751
necessary to protect travelers on the highway; 1752

(D) Require the applicant to indemnify the township 1753
against liability or damage as the result of the installation of 1754
the culvert or as a result of the excavation; 1755

(E) Require the applicant to post a deposit or bond, with 1756
sureties to the satisfaction of the board, conditioned upon the 1757
performance of all conditions in the permit. 1758

Applications for permits under this section shall be made 1759
to the township fiscal officer upon forms to be furnished by the 1760
board. Applications, including, but not limited to, a single 1761
application for an excavation project to install six or more 1762
poles for the purpose of providing electric or 1763
telecommunications service or to install a pole associated with 1764
underground electric or telecommunications service, shall be 1765
accompanied by a fee of up to fifty dollars per application, 1766
which fee shall be returned to the applicant if the application 1767

is denied. Except as otherwise provided in this section, no 1768
application or fee shall be required for an excavation project 1769
to install five or fewer poles for the purpose of providing 1770
electric or telecommunications service, but the person making 1771
that excavation shall provide verifiable notice of the 1772
excavation to the township fiscal officer at least three 1773
business days prior to the date of the excavation. 1774

For any excavation to repair, rehabilitate, or replace a 1775
pole for the purpose of providing electric or telecommunications 1776
service that is already installed in a township highway or 1777
highway right-of-way, the person making that excavation shall 1778
provide verifiable notice of the excavation to the township 1779
fiscal officer at least three business days prior to the date of 1780
the excavation. 1781

No person shall install a driveway culvert or make an 1782
excavation in any township highway or highway right-of-way in 1783
violation of any resolution adopted pursuant to this section, 1784
except that, in the case of an emergency requiring immediate 1785
action to protect the public health, safety, and welfare, an 1786
excavation may be made without first obtaining a permit, if an 1787
application is made at the earliest possible opportunity. 1788

As used in this section, "person" has the same meaning as 1789
in section 1.59 of the Revised Code, and "right-of-way" has the 1790
same meaning as in division (UU) (2) of section 4511.01 of the 1791
Revised Code. 1792

Sec. 5705.19. This section does not apply to school 1793
districts, county school financing districts, or lake facilities 1794
authorities. 1795

The taxing authority of any subdivision at any time and in 1796

any year, by vote of two-thirds of all the members of the taxing authority, may declare by resolution and certify the resolution to the board of elections not less than ninety days before the election upon which it will be voted that the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of the subdivision and that it is necessary to levy a tax in excess of that limitation for any of the following purposes:

(A) For current expenses of the subdivision, except that the total levy for current expenses of a detention facility district or district organized under section 2151.65 of the Revised Code shall not exceed two mills and that the total levy for current expenses of a combined district organized under sections 2151.65 and 2152.41 of the Revised Code shall not exceed four mills;

(B) For the payment of debt charges on certain described bonds, notes, or certificates of indebtedness of the subdivision issued subsequent to January 1, 1925;

(C) For the debt charges on all bonds, notes, and certificates of indebtedness issued and authorized to be issued prior to January 1, 1925;

(D) For a public library of, or supported by, the subdivision under whatever law organized or authorized to be supported;

(E) For a municipal university, not to exceed two mills over the limitation of one mill prescribed in section 3349.13 of the Revised Code;

(F) For the construction or acquisition of any specific permanent improvement or class of improvements that the taxing

authority of the subdivision may include in a single bond issue; 1826

(G) For the general construction, reconstruction, 1827
resurfacing, and repair of streets, roads, and bridges in 1828
municipal corporations, counties, or townships; 1829

(H) For parks and recreational purposes; 1830

(I) For providing and maintaining fire apparatus, 1831
mechanical resuscitators, underwater rescue and recovery 1832
equipment, or other fire equipment and appliances, buildings and 1833
sites therefor, or sources of water supply and materials 1834
therefor, for the establishment and maintenance of lines of 1835
fire-alarm communications, for the payment of firefighting 1836
companies or permanent, part-time, or volunteer firefighting, 1837
emergency medical service, administrative, or communications 1838
personnel to operate the same, including the payment of any 1839
employer contributions required for such personnel under section 1840
145.48 or 742.34 of the Revised Code, for the purchase of 1841
ambulance equipment, for the provision of ambulance, paramedic, 1842
or other emergency medical services operated by a fire 1843
department or firefighting company, or for the payment of other 1844
related costs; 1845

(J) For providing and maintaining motor vehicles, 1846
communications, other equipment, buildings, and sites for such 1847
buildings used directly in the operation of a police department, 1848
for the payment of salaries of permanent or part-time police, 1849
communications, or administrative personnel to operate the same, 1850
including the payment of any employer contributions required for 1851
such personnel under section 145.48 or 742.33 of the Revised 1852
Code, for the payment of the costs incurred by townships as a 1853
result of contracts made with other political subdivisions in 1854
order to obtain police protection, for the provision of 1855

ambulance or emergency medical services operated by a police department, or for the payment of other related costs; 1856
1857

(K) For the maintenance and operation of a county home or detention facility; 1858
1859

(L) For community developmental disabilities programs and services pursuant to Chapter 5126. of the Revised Code, except that such levies shall be subject to the procedures and requirements of section 5705.222 of the Revised Code; 1860
1861
1862
1863

(M) For regional planning; 1864

(N) For a county's share of the cost of maintaining and operating schools, district detention facilities, forestry camps, or other facilities, or any combination thereof, established under section 2151.65 or 2152.41 of the Revised Code or both of those sections; 1865
1866
1867
1868
1869

(O) For providing for flood defense, providing and maintaining a flood wall or pumps, and other purposes to prevent floods; 1870
1871
1872

(P) For maintaining and operating sewage disposal plants and facilities; 1873
1874

(Q) For the purpose of purchasing, acquiring, constructing, enlarging, improving, equipping, repairing, maintaining, or operating, or any combination of the foregoing, a county transit system pursuant to sections 306.01 to 306.13 of the Revised Code, or of making any payment to a board of county commissioners operating a transit system or a county transit board pursuant to section 306.06 of the Revised Code; 1875
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(R) For the subdivision's share of the cost of acquiring or constructing any schools, forestry camps, detention 1882
1883

facilities, or other facilities, or any combination thereof,	1884
under section 2151.65 or 2152.41 of the Revised Code or both of	1885
those sections;	1886
(S) For the prevention, control, and abatement of air	1887
pollution;	1888
(T) For maintaining and operating cemeteries;	1889
(U) For providing ambulance service, emergency medical	1890
service, or both;	1891
(V) For providing for the collection and disposal of	1892
garbage or refuse, including yard waste;	1893
(W) For the payment of the police officer employers'	1894
contribution or the firefighter employers' contribution required	1895
under sections 742.33 and 742.34 of the Revised Code;	1896
(X) For the construction and maintenance of a drainage	1897
improvement pursuant to section 6131.52 of the Revised Code;	1898
(Y) For providing or maintaining senior citizens services	1899
or facilities as authorized by section 307.694, 307.85, 505.70,	1900
or 505.706 or division (EE) of section 717.01 of the Revised	1901
Code;	1902
(Z) For the provision and maintenance of zoological park	1903
services and facilities as authorized under section 307.76 of	1904
the Revised Code;	1905
(AA) For the maintenance and operation of a free public	1906
museum of art, science, or history;	1907
(BB) For the establishment and operation of a 9-1-1	1908
system, as defined in section 128.01 of the Revised Code;	1909
(CC) For the purpose of acquiring, rehabilitating, or	1910

developing rail property or rail service. As used in this 1911
division, "rail property" and "rail service" have the same 1912
meanings as in section 4981.01 of the Revised Code. This 1913
division applies only to a county, township, or municipal 1914
corporation. 1915

(DD) For the purpose of acquiring property for, 1916
constructing, operating, and maintaining community centers as 1917
provided for in section 755.16 of the Revised Code; 1918

(EE) For the creation and operation of an office or joint 1919
office of economic development, for any economic development 1920
purpose of the office, and to otherwise provide for the 1921
establishment and operation of a program of economic development 1922
pursuant to sections 307.07 and 307.64 of the Revised Code, or 1923
to the extent that the expenses of a county land reutilization 1924
corporation organized under Chapter 1724. of the Revised Code 1925
are found by the board of county commissioners to constitute the 1926
promotion of economic development, for the payment of such 1927
operations and expenses; 1928

(FF) For the purpose of acquiring, establishing, 1929
constructing, improving, equipping, maintaining, or operating, 1930
or any combination of the foregoing, a township airport, landing 1931
field, or other air navigation facility pursuant to section 1932
505.15 of the Revised Code; 1933

(GG) For the payment of costs incurred by a township as a 1934
result of a contract made with a county pursuant to section 1935
505.263 of the Revised Code in order to pay all or any part of 1936
the cost of constructing, maintaining, repairing, or operating a 1937
water supply improvement; 1938

(HH) For a board of township trustees to acquire, other 1939

than by appropriation, an ownership interest in land, water, or 1940
wetlands, or to restore or maintain land, water, or wetlands in 1941
which the board has an ownership interest, not for purposes of 1942
recreation, but for the purposes of protecting and preserving 1943
the natural, scenic, open, or wooded condition of the land, 1944
water, or wetlands against modification or encroachment 1945
resulting from occupation, development, or other use, which may 1946
be styled as protecting or preserving "greenspace" in the 1947
resolution, notice of election, or ballot form. Except as 1948
otherwise provided in this division, land is not acquired for 1949
purposes of recreation, even if the land is used for 1950
recreational purposes, so long as no building, structure, or 1951
fixture used for recreational purposes is permanently attached 1952
or affixed to the land. Except as otherwise provided in this 1953
division, land that previously has been acquired in a township 1954
for these greenspace purposes may subsequently be used for 1955
recreational purposes if the board of township trustees adopts a 1956
resolution approving that use and no building, structure, or 1957
fixture used for recreational purposes is permanently attached 1958
or affixed to the land. The authorization to use greenspace land 1959
for recreational use does not apply to land located in a 1960
township that had a population, at the time it passed its first 1961
greenspace levy, of more than thirty-eight thousand within a 1962
county that had a population, at that time, of at least eight 1963
hundred sixty thousand. 1964

(II) For the support by a county of a crime victim 1965
assistance program that is provided and maintained by a county 1966
agency or a private, nonprofit corporation or association under 1967
section 307.62 of the Revised Code; 1968

(JJ) For any or all of the purposes set forth in divisions 1969
(I) and (J) of this section. This division applies only to a 1970

municipal corporation or a township.	1971
(KK) For a countywide public safety communications system under section 307.63 of the Revised Code. This division applies only to counties.	1972 1973 1974
(LL) For the support by a county of criminal justice services under section 307.45 of the Revised Code;	1975 1976
(MM) For the purpose of maintaining and operating a jail or other detention facility as defined in section 2921.01 of the Revised Code;	1977 1978 1979
(NN) For purchasing, maintaining, or improving, or any combination of the foregoing, real estate on which to hold, and the operating expenses of, agricultural fairs operated by a county agricultural society or independent agricultural society under Chapter 1711. of the Revised Code. This division applies only to a county.	1980 1981 1982 1983 1984 1985
(OO) For constructing, rehabilitating, repairing, or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interests in land necessary for the foregoing improvements;	1986 1987 1988 1989
(PP) For both of the purposes set forth in divisions (G) and (OO) of this section.	1990 1991
(QQ) For both of the purposes set forth in divisions (H) and (HH) of this section. This division applies only to a township.	1992 1993 1994
(RR) For the legislative authority of a municipal corporation, board of county commissioners of a county, or board of township trustees of a township to acquire agricultural easements, as defined in section 5301.67 of the Revised Code,	1995 1996 1997 1998

and to supervise and enforce the easements.	1999
(SS) For both of the purposes set forth in divisions (BB) and (KK) of this section. This division applies only to a county.	2000 2001 2002
(TT) For the maintenance and operation of a facility that is organized in whole or in part to promote the sciences and natural history under section 307.761 of the Revised Code.	2003 2004 2005
(UU) For the creation and operation of a county land reutilization corporation and for any programs or activities of the corporation found by the board of directors of the corporation to be consistent with the purposes for which the corporation is organized;	2006 2007 2008 2009 2010
(VV) For construction and maintenance of improvements and expenses of soil and water conservation district programs under Chapter 940. of the Revised Code;	2011 2012 2013
(WW) For the OSU extension fund created under section 3335.35 of the Revised Code for the purposes prescribed under section 3335.36 of the Revised Code for the benefit of the citizens of a county. This division applies only to a county.	2014 2015 2016 2017
(XX) For a municipal corporation that withdraws or proposes by resolution to withdraw from a regional transit authority under section 306.55 of the Revised Code to provide transportation services for the movement of persons within, from, or to the municipal corporation;	2018 2019 2020 2021 2022
(YY) For any combination of the purposes specified in divisions (NN), (VV), and (WW) of this section. This division applies only to a county.	2023 2024 2025
(ZZ) For any combination of the following purposes: the	2026

acquisition, construction, improvement, or maintenance of 2027
buildings, equipment, and supplies for police, firefighting, or 2028
emergency medical services; the construction, reconstruction, 2029
resurfacing, or repair of streets, roads, and bridges; or for 2030
general infrastructure projects. This division applies only to a 2031
township or municipal corporation. 2032

(AAA) For any combination of the purposes specified in 2033
divisions (G), (K), (N), (O), (P), (X), (BB), and (MM) of this 2034
section, for the acquisition, construction or maintenance of 2035
county facilities, or for the acquisition of or improvements to 2036
land. This division applies only to a county. 2037

The resolution shall be confined to the purpose or 2038
purposes described in one division of this section, to which the 2039
revenue derived therefrom shall be applied. The existence in any 2040
other division of this section of authority to levy a tax for 2041
any part or all of the same purpose or purposes does not 2042
preclude the use of such revenues for any part of the purpose or 2043
purposes of the division under which the resolution is adopted. 2044

The resolution shall specify the amount of the increase in 2045
rate that it is necessary to levy, the purpose of that increase 2046
in rate, and the number of years during which the increase in 2047
rate shall be in effect, which may or may not include a levy 2048
upon the duplicate of the current year. The number of years may 2049
be any number not exceeding five, except as follows: 2050

(1) When the additional rate is for the payment of debt 2051
charges, the increased rate shall be for the life of the 2052
indebtedness. 2053

(2) When the additional rate is for any of the following, 2054
the increased rate shall be for a continuing period of time: 2055

(a) For the current expenses for a detention facility 2056
district, a district organized under section 2151.65 of the 2057
Revised Code, or a combined district organized under sections 2058
2151.65 and 2152.41 of the Revised Code; 2059

(b) For providing a county's share of the cost of 2060
maintaining and operating schools, district detention 2061
facilities, forestry camps, or other facilities, or any 2062
combination thereof, established under section 2151.65 or 2063
2152.41 of the Revised Code or under both of those sections. 2064

(3) When the additional rate is for either of the 2065
following, the increased rate may be for a continuing period of 2066
time: 2067

(a) For the purposes set forth in division (I), (J), (U), 2068
(JJ), or (KK) of this section; 2069

(b) For the maintenance and operation of a joint 2070
recreation district. 2071

(4) When the increase is for the purpose or purposes set 2072
forth in division (D), (G), (H), (T), (Z), (CC), or (PP) of this 2073
section, the tax levy may be for any specified number of years 2074
or for a continuing period of time, as set forth in the 2075
resolution. 2076

(5) When the increase is for the purpose set forth in 2077
division (ZZ) or (AAA) of this section, the tax levy may be for 2078
any number of years not exceeding ten. 2079

A levy for one of the purposes set forth in division (G), 2080
(I), (J), ~~(U)~~, (JJ) of this section may be reduced 2081
pursuant to section 5705.261 or 5705.31 of the Revised Code. A 2082
levy for one of the purposes set forth in division (G), (I), 2083
(J), ~~(U)~~, (JJ) of this section may also be terminated or 2084

permanently reduced by the taxing authority if it adopts a 2085
resolution stating that the continuance of the levy is 2086
unnecessary and the levy shall be terminated or that the millage 2087
is excessive and the levy shall be decreased by a designated 2088
amount. 2089

A resolution of a detention facility district, a district 2090
organized under section 2151.65 of the Revised Code, or a 2091
combined district organized under both sections 2151.65 and 2092
2152.41 of the Revised Code may include both current expenses 2093
and other purposes, provided that the resolution shall apportion 2094
the annual rate of levy between the current expenses and the 2095
other purpose or purposes. The apportionment need not be the 2096
same for each year of the levy, but the respective portions of 2097
the rate actually levied each year for the current expenses and 2098
the other purpose or purposes shall be limited by the 2099
apportionment. 2100

Whenever a board of county commissioners, acting either as 2101
the taxing authority of its county or as the taxing authority of 2102
a sewer district or subdistrict created under Chapter 6117. of 2103
the Revised Code, by resolution declares it necessary to levy a 2104
tax in excess of the ten-mill limitation for the purpose of 2105
constructing, improving, or extending sewage disposal plants or 2106
sewage systems, the tax may be in effect for any number of years 2107
not exceeding twenty, and the proceeds of the tax, 2108
notwithstanding the general provisions of this section, may be 2109
used to pay debt charges on any obligations issued and 2110
outstanding on behalf of the subdivision for the purposes 2111
enumerated in this paragraph, provided that any such obligations 2112
have been specifically described in the resolution. 2113

A resolution adopted by the legislative authority of a 2114

municipal corporation that is for the purpose in division (XX) 2115
of this section may be combined with the purpose provided in 2116
section 306.55 of the Revised Code, by vote of two-thirds of all 2117
members of the legislative authority. The legislative authority 2118
may certify the resolution to the board of elections as a 2119
combined question. The question appearing on the ballot shall be 2120
as provided in section 5705.252 of the Revised Code. 2121

A levy for the purpose set forth in division (BB) of this 2122
section may be imposed in all or a portion of the territory of a 2123
subdivision. If the 9-1-1 system to be established and operated 2124
with levy funds excludes territory located within the 2125
subdivision, the resolution adopted under this section, or a 2126
resolution proposing to renew such a levy that was imposed in 2127
all of the territory of the subdivision, may describe the area 2128
served or to be served by the system and specify that the 2129
proposed tax would be imposed only in the areas receiving or to 2130
receive the service. Upon passage of such a resolution, the 2131
board of elections shall submit the question of the tax levy 2132
only to those electors residing in the area or areas in which 2133
the tax would be imposed. If the 9-1-1 system would serve the 2134
entire subdivision, the resolution shall not exclude territory 2135
from the tax levy. 2136

The resolution shall go into immediate effect upon its 2137
passage, and no publication of the resolution is necessary other 2138
than that provided for in the notice of election. 2139

When the electors of a subdivision or, in the case of a 2140
qualifying library levy for the support of a library association 2141
or private corporation, the electors of the association library 2142
district or, in the case of a 9-1-1 system levy serving only a 2143
portion of the territory of a subdivision, the electors of the 2144

portion of the subdivision in which the levy would be imposed 2145
have approved a tax levy under this section, the taxing 2146
authority of the subdivision may anticipate a fraction of the 2147
proceeds of the levy and issue anticipation notes in accordance 2148
with section 5705.191 or 5705.193 of the Revised Code. 2149

Sec. 5705.25. (A) (1) A copy of any resolution adopted as 2150
provided in section 5705.19 or 5705.2111 of the Revised Code 2151
shall be certified by the taxing authority to the board of 2152
elections of the proper county not less than ninety days before 2153
the general election in any year, and the board shall submit the 2154
proposal to the electors of the subdivision at the succeeding 2155
November election. In the case of a qualifying library levy, the 2156
board shall submit the question to the electors of the library 2157
district or association library district. ~~Except~~ 2158

(2) Except as otherwise provided in this division, a 2159
resolution to renew or to renew and increase or renew and 2160
decrease an existing levy, regardless of the section of the 2161
Revised Code under which the tax was imposed, shall not be 2162
placed on the ballot unless the question is submitted at the 2163
general election held during the last year the tax to be renewed 2164
may be extended on the real and public utility property tax list 2165
and duplicate, or at any election held in the ensuing year. The 2166
limitation of the foregoing sentence does not apply to a 2167
resolution to renew and increase or to renew ~~part of and~~ 2168
decrease an existing levy that was imposed under section 2169
5705.191 of the Revised Code to supplement the general fund for 2170
the purpose of making appropriations for one or more of the 2171
following purposes: for public assistance, human or social 2172
services, relief, welfare, hospitalization, health, and support 2173
of general hospitals. The limitation of the second preceding 2174
sentence also does not apply to a resolution that proposes to 2175

renew two or more existing levies imposed under section 5705.222 2176
or division (L) of section 5705.19 of the Revised Code, or under 2177
section 5705.21 or 5705.217 of the Revised Code, in which case 2178
the question shall be submitted on the date of the general or 2179
primary election held during the last year at least one of the 2180
levies to be renewed may be extended on the real and public 2181
utility property tax list and duplicate, or at any election held 2182
during the ensuing year. A resolution proposing to renew or 2183
renew and increase or decrease an existing levy may specify that 2184
the renewal, increase, or decrease of the existing levy shall be 2185
extended on the tax list for the current tax year. If the 2186
renewal, increase, or decrease would be extended on the tax list 2187
for the current tax year, the existing levy shall not be 2188
extended on the tax list after the year preceding the year in 2189
which the renewal, increase, or decrease is first imposed, 2190
regardless of the years for which the existing levy originally 2191
was authorized to be levied, but the failure by the electors to 2192
approve such a renewal, increase, or decrease does not terminate 2193
the existing levy. For purposes of this section, a levy shall be 2194
considered to be an "existing levy" through the year following 2195
the last year it can be placed on ~~that~~ the tax list and 2196
duplicate. 2197

(3) The board of elections shall make the necessary 2198
arrangements for the submission of such questions to the 2199
electors of such subdivision, library district, or association 2200
library district, and the election shall be conducted, 2201
canvassed, and certified in the same manner as regular elections 2202
in such subdivision, library district, or association library 2203
district for the election of county officers. Notice of the 2204
election shall be published in a newspaper of general 2205
circulation in the subdivision, library district, or association 2206

library district once a week for two consecutive weeks, or as 2207
provided in section 7.16 of the Revised Code, prior to the 2208
election. If the board of elections operates and maintains a web 2209
site, the board of elections shall post notice of the election 2210
on its web site for thirty days prior to the election. The 2211
notice shall state the purpose, the proposed increase in rate 2212
expressed in dollars and cents for each one hundred dollars of 2213
valuation as well as in mills for each one dollar of valuation, 2214
the number of years during which the increase will be in effect, 2215
the first month and year in which the tax will be levied, and 2216
the time and place of the election. 2217

(B) The form of the ballots cast at an election held 2218
pursuant to division (A) of this section shall be as follows: 2219

"An additional tax for the benefit of (name of subdivision 2220
or public library) _____ for the purpose of (purpose stated 2221
in the resolution) _____ at a rate not exceeding _____ 2222
mills for each one dollar of valuation, which amounts to (rate 2223
expressed in dollars and cents) _____ for each one 2224
hundred dollars of valuation, for _____ (life of indebtedness 2225
or number of years the levy is to run). 2226

2227

	For the Tax Levy
	Against the Tax Levy

"

(C) If the levy is to be in effect for a continuing period 2228
of time, the notice of election and the form of ballot shall so 2229
state instead of setting forth a specified number of years for 2230
the levy. 2231

If the additional tax or the renewal, increase, or 2232
decrease of an existing levy is to be placed on the current tax 2233
list, the form of the ballot shall be modified by adding, after 2234
the statement of the number of years the levy is to run, the 2235
phrase ", commencing in _____ (first year the tax is to be 2236
levied), first due in calendar year _____ (first calendar 2237
year in which the tax shall be due)." 2238

If the levy submitted is a proposal to renew, increase, or 2239
decrease an existing levy, the form of the ballot specified in 2240
division (B) of this section may be changed by substituting for 2241
the words "An additional" at the beginning of the form, the 2242
words "A renewal of a" in case of a proposal to renew an 2243
existing levy in the same amount; the words "A renewal of 2244
_____ mills and an increase of _____ mills to constitute a" 2245
in the case of an increase; or the words "A renewal of part of 2246
an existing levy, being a reduction of _____ mills, to 2247
constitute a" in the case of a decrease in the proposed levy. 2248

If the levy submitted is a proposal to renew two or more 2249
existing levies imposed under section 5705.222 or division (L) 2250
of section 5705.19 of the Revised Code, or under section 5705.21 2251
or 5705.217 of the Revised Code, the form of the ballot 2252
specified in division (B) of this section shall be modified by 2253
substituting for the words "an additional tax" the words "a 2254
renewal of ____ (insert the number of levies to be renewed) 2255
existing taxes." 2256

If the levy submitted is a levy under section 5705.72 of 2257
the Revised Code or a proposal to renew, increase, or decrease 2258
an existing levy imposed under that section, the name of the 2259
subdivision shall be "the unincorporated area of _____ 2260
(name of township)." 2261

The question covered by ~~such a~~ resolution adopted under 2262
this section shall be submitted as a separate proposition but 2263
may be printed on the same ballot with any other proposition 2264
submitted at the same election, other than the election of 2265
officers. More than one such question may be submitted at the 2266
same election. 2267

(D) A levy voted in excess of the ten-mill limitation 2268
under this section shall be certified to the tax commissioner. 2269
In the first year of the levy, it shall be extended on the tax 2270
lists after the February settlement succeeding the election. If 2271
the additional tax is to be placed upon the tax list of the 2272
current year, as specified in the resolution providing for its 2273
submission, the result of the election shall be certified 2274
immediately after the canvass by the board of elections to the 2275
taxing authority, who shall make the necessary levy and certify 2276
it to the county auditor, who shall extend it on the tax lists 2277
for collection. After the first year, the tax levy shall be 2278
included in the annual tax budget that is certified to the 2279
county budget commission. 2280

Section 2. That existing sections 3.061, 3.30, 9.65, 2281
165.01, 165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 517.27, 2282
715.82, 742.33, 742.34, 1545.05, 2151.70, 2152.42, 3721.15, 2283
3735.27, 4503.03, 4765.43, 5153.13, 5571.16, 5705.19, and 2284
5705.25 of the Revised Code are hereby repealed. 2285

Section 3. The amendment by this act of sections 5705.19 2286
and 5705.25 of the Revised Code applies to property tax 2287
questions considered at any election held on or after the one 2288
hundredth day after the effective date of this section. 2289

Section 4. Section 5705.19 of the Revised Code is 2290
presented in this act as a composite of the section as amended 2291

by both H.B. 122 and H.B. 500 of the 132nd General Assembly. The 2292
General Assembly, applying the principle stated in division (B) 2293
of section 1.52 of the Revised Code that amendments are to be 2294
harmonized if reasonably capable of simultaneous operation, 2295
finds that the composite is the resulting version of the section 2296
in effect prior to the effective date of the section as 2297
presented in this act. 2298