

As Introduced

131st General Assembly

Regular Session

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H. B. No. 450

Representatives Thompson, Hall

A BILL

To amend sections 9.62 and 721.15 of the Revised Code to authorize a law enforcement officer to purchase a police dog or horse for one dollar when the officer retires in good standing from a law enforcement agency and certain conditions are met. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 9.62 and 721.15 of the Revised Code be amended to read as follows: 7
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Sec. 9.62. (A) As used in this section: 9

(1) "Police dog or horse" means a dog or horse that has been trained, and may be used, to assist law enforcement officers in the performance of their official duties. 10
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(2) "Law enforcement agency" means an organization or unit made up of law enforcement officers as defined in section 2901.01 of the Revised Code. 13
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(B) Upon the disbanding of the canine or equine unit of a law enforcement agency, the agency shall give the law enforcement officer to whom a police dog or horse is assigned 16
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the first chance to purchase the animal, for one dollar. An 19
officer who purchases an animal under this section shall assume 20
all responsibility for the animal thereafter. 21

(C) If a police dog or horse is injured in the line of 22
duty, becomes disabled and is unfit for duty, or grows too old 23
to be fit for duty, the law enforcement officer to whom the 24
animal is assigned may purchase the animal, for one dollar. If 25
an officer chooses not to purchase an animal as authorized by 26
this division or division (B) of this section, the disposition 27
of the animal shall be as otherwise provided by law. 28

(D) Except as provided in division (E) of this section, 29
a law enforcement officer who leaves an equine or canine unit of 30
a law enforcement agency while the police dog or horse assigned 31
to the officer is still fit for duty forfeits the right to 32
purchase the animal under this section. 33

(E) Notwithstanding section 721.15 of the Revised Code or 34
any other provisions of law to the contrary, a law enforcement 35
officer who retires from an equine or canine unit of a law 36
enforcement agency in good standing may purchase the police dog 37
or horse to whom the law enforcement officer was assigned 38
immediately prior to the officer's retirement for one dollar if 39
the officer receives approval from both of the following: 40

(1) The law enforcement agency served by the police dog or 41
horse; 42

(2) The legislative authority of the municipal corporation 43
or political subdivision, as applicable, served by the police 44
dog or horse or, in the case of a police dog or horse serving 45
the state highway patrol, the director of public safety. 46

(F) No law enforcement officer who purchases a police dog 47

or horse in accordance with division (E) of this section shall 48
allow the police dog or horse to be purchased by or serve any 49
law enforcement agency. 50

Sec. 721.15. (A) Personal property not needed for 51
municipal purposes, the estimated value of which is less than 52
one thousand dollars, may be sold by the board or officer having 53
supervision or management of that property. ~~If~~ Except as 54
provided in section 9.62 of the Revised Code, if the estimated 55
value of that property is one thousand dollars or more, it shall 56
be sold only when authorized by an ordinance of the legislative 57
authority of the municipal corporation and approved by the 58
board, officer, or director having supervision or management of 59
that property. When so authorized, the board, officer, or 60
director shall make a written contract with the highest and best 61
bidder after advertisement for not less than two nor more than 62
four consecutive weeks in a newspaper of general circulation 63
within the municipal corporation or as provided in section 7.16 64
of the Revised Code, or with a board of county commissioners 65
upon such lawful terms as are agreed upon, as provided by 66
division (B) (1) of section 721.27 of the Revised Code. 67

(B) When the legislative authority finds, by resolution, 68
that the municipal corporation has vehicles, equipment, or 69
machinery which is obsolete, or is not needed or is unfit for 70
public use, that the municipal corporation has need of other 71
vehicles, equipment, or machinery of the same type, and that it 72
will be in the best interest of the municipal corporation that 73
the sale of obsolete, unneeded, or unfit vehicles, equipment, or 74
machinery be made simultaneously with the purchase of the new 75
vehicles, equipment, or machinery of the same type, the 76
legislative authority may offer to sell, or authorize a board, 77
officer, or director of the municipal corporation having 78

supervision or management of the property to offer to sell, 79
those vehicles, equipment, or machinery and to have the selling 80
price credited against the purchase price of other vehicles, 81
equipment, or machinery and to consummate the sale and purchase 82
by a single contract with the lowest and best bidder to be 83
determined by subtracting from the selling price of the 84
vehicles, equipment, or machinery to be purchased by the 85
municipal corporation the purchase price offered for the 86
municipally-owned vehicles, equipment, or machinery. When the 87
legislative authority or the authorized board, officer, or 88
director of a municipal corporation advertises for bids for the 89
sale of new vehicles, equipment, or machinery to the municipal 90
corporation, they may include in the same advertisement a notice 91
of willingness to accept bids for the purchase of municipally- 92
owned vehicles, equipment, or machinery which is obsolete, or is 93
not needed or is unfit for public use, and to have the amount of 94
those bids subtracted from the selling price as a means of 95
determining the lowest and best bidder. 96

(C) If the legislative authority of the municipal 97
corporation determines that municipal personal property is not 98
needed for public use, or is obsolete or unfit for the use for 99
which it was acquired, and that the property has no value, the 100
legislative authority may discard or salvage that property. 101

(D) Notwithstanding anything to the contrary in division 102
(A) or (B) of this section and regardless of the property's 103
value, the legislative authority of a municipal corporation may 104
sell personal property, including motor vehicles acquired for 105
the use of municipal officers and departments, and road 106
machinery, equipment, tools, or supplies, which is not needed 107
for public use, or is obsolete or unfit for the use for which it 108
was acquired, by internet auction. The legislative authority 109

shall adopt, during each calendar year, a resolution expressing 110
its intent to sell that property by internet auction. The 111
resolution shall include a description of how the auctions will 112
be conducted and shall specify the number of days for bidding on 113
the property, which shall be no less than ten days, including 114
Saturdays, Sundays, and legal holidays. The resolution shall 115
indicate whether the municipal corporation will conduct the 116
auction or the legislative authority will contract with a 117
representative to conduct the auction and shall establish the 118
general terms and conditions of sale. If a representative is 119
known when the resolution is adopted, the resolution shall 120
provide contact information such as the representative's name, 121
address, and telephone number. 122

After adoption of the resolution, the legislative 123
authority shall publish, in a newspaper of general circulation 124
in the municipal corporation or as provided in section 7.16 of 125
the Revised Code, notice of its intent to sell unneeded, 126
obsolete, or unfit municipal personal property by internet 127
auction. The notice shall include a summary of the information 128
provided in the resolution and shall be published twice. The 129
second notice shall be published not less than ten nor more than 130
twenty days after the previous notice. A similar notice also 131
shall be posted continually throughout the calendar year in a 132
conspicuous place in the offices of the village clerk or city 133
auditor, and the legislative authority. If the municipal 134
corporation maintains a web site on the internet, the notice 135
shall be posted continually throughout the calendar year at that 136
web site. 137

When the property is to be sold by internet auction, the 138
legislative authority or its representative may establish a 139
minimum price that will be accepted for specific items and may 140

establish any other terms and conditions for the particular 141
sale, including requirements for pick-up or delivery, method of 142
payment, and sales tax. This type of information shall be 143
provided on the internet at the time of the auction and may be 144
provided before that time upon request after the terms and 145
conditions have been determined by the legislative authority or 146
its representative. 147

Section 2. That existing sections 9.62 and 721.15 of the 148
Revised Code are hereby repealed. 149