

H. B. No. 331
As Introduced

_____ moved to amend as follows:

- In line 1 of the title, delete "section 703.21" and insert "sections 1
703.31, 703.32, and 703.33" 2
- In line 2 of the title, delete "703.202" and insert "703.331" 3
- In line 4, delete "section 703.21" and insert "sections 703.31,
703.32, and 703.33" 4
5
- In line 5, delete "703.202" and insert "703.331" 6
- In line 6, delete "703.202" and insert "703.331" 7
- In line 8, delete "budget commission" and insert "auditor, county 8
treasurer, and one member of the board of county commissioners selected by 9
the board of county commissioners, jointly" 10
- In line 31, delete "budget commission" and insert "officials" 11
- In line 34, delete "budget commission" and insert "officials" 12
- In line 35, delete "budget" 13
- In line 36, delete "commission's" and insert "officials'" 14
- In line 39, delete "budget commission finds" and insert "officials" 15



find 16

In line 41, delete "commission" and insert "county officials" 17

In line 52, delete "The corporate powers of" 18

Delete lines 53 and 54 and insert: 19

"(D) The procedure in this section is in addition to the 20
procedure under section 703.33 of the Revised Code for the 21
dissolution of a village." 22

Delete lines 55 through 223 23

After line 223, insert: 24

"Sec. 703.31. As used in sections 703.31 to 703.39 of the 25
Revised Code: 26

"Date the dissolution is effective" means the date the 27
election result is certified under section 703.33 or 703.331 of 28
the Revised Code or the date the attorney general files a 29
certified copy of a court's order of dissolution with the 30
secretary of state, auditor of state, and county recorder, as 31
applicable, under section 118.31 or 703.34 of the Revised Code. 32

"Period when a dissolution is in question" means the 33
period beginning on the date a petition under section 703.33 of 34
the Revised Code is presented, the date an unsatisfactory 35
finding under division (B) of section 703.331 of the Revised 36
Code is provided to a village, or the date a legal action is 37
filed by the attorney general under section 118.31 or 703.34 of 38
the Revised Code and ending the date the result of the election 39
under section 703.33 or 703.331 of the Revised Code is certified 40
or the decision of the court of common pleas under section 41
118.31 or 703.34 of the Revised Code is declared. 42

"Transition period" means the period beginning on the date 43
the dissolution is effective and ending on the date the 44
transition supervisory board determines all outstanding debts, 45
obligations, and liabilities of the dissolved village have been 46
resolved, all real and personal property of the dissolved 47
village has been transferred or otherwise disposed of, and all 48
utility property and utility services have been transferred. 49

"Utility services" means electric, water, sewer, and other 50
similar utilities. 51

Sec. 703.32. The process for dissolving a village, 52
whether the dissolution is determined under section 118.31, 53
703.33, 703.331, or 703.34 of the Revised Code, shall be 54
conducted in accordance with sections 703.31 to 703.39 of the 55
Revised Code. 56

Sec. 703.33. (A) Villages may voluntarily dissolve upon 57
the petition to the legislative authority of the village, or, in 58
the alternative, to the board of elections of the county in 59
which the largest portion of the population of the village 60
resides as provided in division (B) (1) of this section, of at 61
least thirty per cent of the electors thereof, to be determined 62
by the number voting at the last regular municipal election, and 63
by an affirmative vote of a majority of the electors at the next 64
general election held in an even-numbered year occurring after 65
the period ending ninety days after the filing of the petition 66
with the legislative authority. If the result of the election is 67
in favor of the surrender, the village clerk or, in the 68
alternative, the board of elections shall certify the result to 69
the secretary of state, the auditor of state, and the county 70
recorder, who shall record it in their respective offices. 71

(B) (1) If the legislative authority of a village fails to 72

act upon the petition within thirty days after receipt of the 73
petition, the electors may present the petition to the board of 74
elections to determine the validity and sufficiency of the 75
signatures. The petition shall be governed by the rules of 76
section 3501.38 of the Revised Code. The petition shall be filed 77
with the board of elections of the county in which the largest 78
portion of the population of the village resides. A petition 79
filed under this division is only valid if filed during an even- 80
numbered year on or after the first day of July, and at least 81
ninety days before the next general election. If the petition is 82
sufficient, the board of elections shall submit the question 83
"Shall the village of _____ surrender its corporate 84
powers?" for the approval or rejection of the electors of the 85
village at the next general election held in an even-numbered 86
year occurring after the period ending ninety days after the 87
filing of the petition with the board. If the result of the 88
election is in favor of the surrender, the board of elections 89
shall certify the results to the secretary of state, the auditor 90
of state, and the county recorder, who shall record it in their 91
respective offices. ~~The corporate powers of the village shall~~ 92
~~cease upon the recording of the certified election results in~~ 93
~~the county recorder's office.~~ 94

(2) In addition to filing the petition with the board of 95
elections as provided in division (B) (1) of this section, a copy 96
of the petition shall be filed with the board of township 97
trustees of each township affected by the surrender." 98

In line 224, delete "section 703.21" and insert "sections 703.31, 99
703.32, and 703.33" 100

In line 225, delete "is" and insert "are" 101

The motion was _____ agreed to.

<u>SYNOPSIS</u>	102
Who conducts audit	103
R.C. 703.331	104
Instead of the county budget commission, requires the	105
county auditor, county treasurer, and one member of the board of	106
county commissioners jointly to conduct the audits of villages.	107
LSC technical	108
R.C. 703.202 (R.C. 703.331), 703.31, 703.32, and 703.33	109
Updates references and a section number in light of the	110
recent enactment of H.B. 101 of the 135th General Assembly,	111
which modified the process for dissolving a village. These	112
changes do not substantively alter the bill's contents.	113