

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 138

Representatives Dovilla, Santucci

**Cosponsors: Representatives Brennan, Daniels, Dean, Fischer, Jarrells, Ray,
Williams**

A BILL

To enact sections 1787.01, 1787.02, 1787.03, 1
1787.04, 1787.05, 1787.06, 1787.07, 1787.08, 2
1787.09, 1787.10, 1787.11, 1787.12, and 1787.13 3
of the Revised Code to authorize the creation of 4
tourism promotion districts and the levying of 5
assessments therein. 6

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

Section 1. That sections 1787.01, 1787.02, 1787.03, 7
1787.04, 1787.05, 1787.06, 1787.07, 1787.08, 1787.09, 1787.10, 8
1787.11, 1787.12, and 1787.13 of the Revised Code be enacted to 9
read as follows: 10

Sec. 1787.01. As used in this chapter: 11

(A) "Authorizing legislative authority" means a 12
legislative authority that adopts either an authorizing 13
resolution or an ordinance or resolution stating its intent to 14
establish or renew a tourism promotion district pursuant to 15
section 1787.03 of the Revised Code or modify a district plan 16
pursuant to section 1787.04 of the Revised Code. 17

(B) "Authorizing resolution" means an ordinance or 18
resolution adopted by the legislative authority under section 19
1787.06 of the Revised Code. 20

(C) "Benefit assessment" means an assessment levied under 21
section 1787.07 of the Revised Code. 22

(D) "District management association" means the nonprofit 23
corporation a municipal corporation, township, or county 24
contracts with to administer or implement supplemental services 25
and improvements pursuant to section 1787.10 of the Revised 26
Code. 27

(E) "District plan" means the plan described in division 28
(B) of section 1787.03 of the Revised Code. 29

(F) "Improvement" means the acquisition, construction, or 30
installation of, or maintenance relating to, tangible property 31
with an estimated useful life of five years or more that is 32
designed to provide benefits to lodging businesses. 33

(G) "Legislative authority" means the legislative 34
authority of a municipal corporation, the board of trustees of a 35
township, or the board of commissioners of a county. 36

(H) "Lodging business" means a "hotel" as defined in 37
section 5739.01 of the Revised Code. 38

(I) "Lodging business owner" means the record owner of a 39
lodging business. 40

(J) "Services" means the promotion of lodging business 41
activities or tourism and any other activity provided for the 42
benefit of lodging businesses for the purpose of increasing 43
overnight lodging stays. 44

(K) "Supplemental services and improvements" means 45

services and improvements provided through funding that is in 46
excess of the amount determined under division (C) (12) of 47
section 1787.06 of the Revised Code for the benefit of lodging 48
businesses subject to a benefit assessment. 49

Sec. 1787.02. (A) A municipal corporation, township, or 50
county may establish a tourism promotion district to fund 51
supplemental services and improvements that benefit lodging 52
businesses pursuant to this chapter by assessing a benefit 53
assessment on lodging businesses located within the district. 54

(B) A municipal corporation may create a district within 55
the territory of a municipal corporation. A township may create 56
a district within the unincorporated territory of the township. 57
A county may create a district within the unincorporated area of 58
the county. A municipal corporation, township, or county may 59
extend the boundaries of the district outside such territory, 60
but only if the township or county, in the case of boundaries 61
extended to unincorporated territory, or the municipal 62
corporation, in the case of boundaries extended to the territory 63
of the municipal corporation, consents, by ordinance or 64
resolution, to the creation of that district. The boundaries of 65
a proposed tourism promotion district shall not overlap with the 66
boundaries of another tourism promotion district, and a 67
district's territory shall be contiguous. 68

(C) A tourism promotion district shall be established for 69
a specific term of years. The term of a newly established 70
district shall be not less than three and not more than five 71
years, unless the district plan proposes that revenue bonds are 72
to be issued under section 1787.08 of the Revised Code, in which 73
case the term shall run until the revenue bonds' maximum 74
maturity. The term of a renewed district shall be not more than 75

ten years, unless the plan proposes that revenue bonds are to be 76
issued under section 1787.08 of the Revised Code, in which case 77
the term shall run until the revenue bonds' maximum maturity. 78

Sec. 1787.03. (A) A legislative authority may, by 79
ordinance or resolution, and subject to the notice, hearing, and 80
protest provisions contained in section 1787.05 of the Revised 81
Code, initiate proceedings to establish or renew a tourism 82
promotion district. Such ordinance or resolution may only be 83
adopted following the valid request of one or more lodging 84
business owners that would be located within the proposed 85
district. 86

A valid request to establish or renew a district shall 87
include a district plan that complies with division (B) of this 88
section and a plan summary that complies with division (C) of 89
this section. An ordinance or resolution to initiate proceedings 90
to establish or renew a district shall comply with division (D) 91
of this section. 92

(B) A district plan shall include all of the following: 93

(1) A map that identifies the proposed tourism promotion 94
district's boundaries in sufficient detail to allow a person to 95
reasonably determine whether a lodging business is located 96
within those boundaries; 97

(2) The name of the district and the day it will begin 98
operating; 99

(3) Whether revenue bonds will be issued under section 100
1787.08 of the Revised Code for the benefit of the district; 101

(4) The term of years the district will be in operation; 102

(5) The name of the district management association; 103

(6) The supplemental services and improvements proposed 104
for each year of operation of the district and the estimated 105
cost thereof. If the supplemental services and improvements 106
proposed for each year of operation are the same, a description 107
of the first year's proposed supplemental services and 108
improvements and a statement that the same supplemental services 109
and improvements are proposed for subsequent years satisfies 110
this requirement. 111

(7) The estimated amount proposed to be expended for 112
supplemental services and improvements during each year of the 113
district's operation. This amount may be estimated based on the 114
benefit assessment amount or rate. An estimate of the amount 115
proposed to be expended in the initial year of the district's 116
operation and a statement that a similar amount applies to 117
subsequent years satisfies this requirement. 118

(8) The proposed source or sources of financing, including 119
the proposed method and basis of levying the benefit assessment 120
in sufficient detail to allow a person to estimate the rate or 121
amount of the benefit assessment to be levied against a lodging 122
business. The plan may propose increases in the benefit 123
assessment for any year of the district's operation. 124

(9) The estimated annual collections from the proposed 125
benefit assessment; 126

(10) If the district is to provide supplemental 127
improvements, whether revenue bonds will be issued under section 128
1787.08 of the Revised Code to finance those improvements and, 129
if so, the revenue bonds' maximum maturity; 130

(11) The time and manner of collecting the benefit 131
assessment and any interest or penalties for nonpayment; 132

- (12) The specific number of years during which a benefit 133
assessment will be levied, which shall equal the term of the 134
district; 135
- (13) Any proposed rules that will apply to the district; 136
- (14) A description of the types or classes of lodging 137
businesses to be included in the district and subject to the 138
district benefit assessment; 139
- (15) A list of the existing lodging businesses in the 140
proposed district that are of the types of classes described 141
under division (B) (14) of this section; 142
- (16) An estimate of the benefit assessment that will be 143
remitted on the basis of each lodging business subject to the 144
assessment over the term of the district's operation; 145
- (17) If the proposed district will be a renewed district, 146
this disposition of any remaining revenues derived from benefit 147
assessments levied for the benefit of the expiring district, 148
which shall be consistent with division (E) of this section. 149
- (C) A plan summary shall include all of the following: 150
- (1) A map showing the boundaries of the tourism promotion 151
district; 152
- (2) A description of the types or classes of lodging 153
businesses to be included in the district and subject to the 154
district benefit assessment; 155
- (3) The benefit assessment rate or amount for each type or 156
class of lodging business that will be subject to the benefit 157
assessment; 158
- (4) A description of the proposed supplemental services 159

<u>and improvements;</u>	160
<u>(5) The location where the public may review the district</u>	161
<u>plan;</u>	162
<u>(6) A statement that the district plan will be provided</u>	163
<u>upon request.</u>	164
<u>(D) An ordinance or resolution adopted pursuant to</u>	165
<u>division (A) of this section shall state or include all of the</u>	166
<u>following:</u>	167
<u>(1) That the legislative authority intends to establish or</u>	168
<u>renew a tourism promotion district;</u>	169
<u>(2) A description of the exterior boundaries of the</u>	170
<u>district, which may be made by reference to the map that is</u>	171
<u>required to be included with the plan or plan summary;</u>	172
<u>(3) A description of the types or classes of lodging</u>	173
<u>businesses to be included in the district and subject to the</u>	174
<u>benefit assessment;</u>	175
<u>(4) The estimated annual collections of the benefit</u>	176
<u>assessment;</u>	177
<u>(5) The benefit assessment rate or amount for each type or</u>	178
<u>class of lodging business that will be subject to the benefit</u>	179
<u>assessment;</u>	180
<u>(6) An estimate of the benefit assessment revenue that</u>	181
<u>will be remitted;</u>	182
<u>(7) A description of the proposed supplemental services</u>	183
<u>and improvements;</u>	184
<u>(8) The location at which the public may review the</u>	185
<u>tourism district plan;</u>	186

(9) That the tourism district plan will be furnished upon 187
request; 188

(10) The time and place for a public hearing on the 189
establishment or renewal of the district and the levy of the 190
benefit assessment, which shall be consistent with the 191
requirements of section 1787.05 of the Revised Code. 192

The descriptions required under divisions (D) (2) and (7) 193
of this section do not need to be detailed and need only enable 194
a person to generally identify the location and extent of the 195
territory of the proposed district and the nature and extent of 196
the proposed supplemental services and improvements. 197

If the boundaries of the proposed district overlap with 198
another county, township, or municipal corporation for which 199
consent is required under section 1787.02 of the Revised Code, 200
the ordinance or resolution shall be accompanied by the 201
ordinance or resolution of consent adopted by that other county, 202
township, or municipal corporation. 203

(E) The boundaries, benefit assessments, or supplemental 204
services and improvements of a renewed tourism promotion 205
district may be different than those of the former tourism 206
promotion district. 207

Upon renewal, any remaining revenues derived from benefit 208
assessments, or any revenues derived from the sale of assets 209
acquired with the revenues, shall be transferred to the renewed 210
tourism promotion district. If the renewed district does not 211
include lodging businesses previously included in the prior 212
district, the remaining revenues attributable to these lodging 213
businesses shall either be spent consistent with the district 214
plan or be refunded to the owners of these lodging businesses. 215

Sec. 1787.04. Upon the written request of an existing 216
tourism promotion district's district management association, 217
the authorizing legislative authority may, by ordinance or 218
resolution, state its intent to modify the district's district 219
plan. 220

An ordinance or resolution adopted pursuant to this 221
section shall state the modifications to be considered and the 222
date and location of a public hearing to consider the 223
modifications. The hearing date shall be not more than ninety 224
days after the adoption of the ordinance or resolution pursuant 225
to this section. 226

Sec. 1787.05. (A) If an authorizing legislative authority, 227
pursuant to section 1787.03 of the Revised Code, adopts an 228
ordinance or resolution stating its intent to establish a new 229
tourism promotion district or renew an existing district or, 230
pursuant to section 1787.04 of the Revised Code, adopts an 231
ordinance or resolution stating its intent to modify an existing 232
district plan, the legislative authority shall hold a public 233
hearing on the applicable question on or before the date the 234
legislative authority adopts an ordinance or resolution 235
authorizing that question pursuant to section 1787.06 of the 236
Revised Code. 237

At least thirty days before the hearing date, the clerk of 238
the legislative authority shall send notice of the hearing, by 239
ordinary mail, to the owner of each lodging business identified 240
under division (D) (6) of section 1787.03 of the Revised Code or, 241
in the case of a hearing on modification requested under section 242
1787.04 of the Revised Code, the owner of each lodging business 243
subject to the benefit assessment under the plan in effect at 244
the time the notice is sent. The notice shall include either a 245

copy of the written protest form described in division (B) of 246
this section or the address of a web site at which that form may 247
be obtained. 248

(B) Any lodging business owner that is entitled to notice 249
pursuant to division (A) of this section, or the owner's agent, 250
may file a written protest against the proposed question, on or 251
before the hearing date, on a form prescribed by the legislative 252
authority, with the legislative authority. The legislative 253
authority may waive any irregularity in the form or content of 254
any written protest. A written protest may be withdrawn in 255
writing at any time before the conclusion of the hearing. 256

Each written protest shall contain a description of the 257
owner's lodging business and, if the person filing the protest 258
is not the lodging business owner, the protest shall be 259
accompanied by written evidence that the person submitting the 260
protest is the owner's agent. 261

If written protests that comply with division (B) of this 262
section, or for which the legislative authority waives 263
irregularity, are received and, excluding withdrawn protests, 264
represent forty per cent or more of the proposed benefit 265
assessment, the legislative authority shall not adopt an 266
ordinance or resolution to create or renew the tourism promotion 267
district, or modify the tourism promotion district plan, 268
pursuant to section 1787.06 of the Revised Code. The percentage 269
of benefit assessment represented by the protesting owners shall 270
be determined by dividing the benefit assessment estimated to be 271
remitted on the basis of the protesting owners' lodging 272
businesses over the term of the district divided by the benefit 273
assessment estimated to be remitted on the basis of all lodging 274
businesses over the term of the district. 275

Sec. 1787.06. (A) After the hearing described in section 276
1787.05 of the Revised Code, the authorizing legislative 277
authority may, by ordinance or resolution, establish or renew a 278
tourism promotion district or modify a district plan, in 279
accordance with division (C) of this section and provided the 280
legislative authority is not prohibited from doing so by 281
division (B) of that section. 282

(B) An ordinance or resolution establishing or renewing a 283
tourism promotion district may not reflect a benefit assessment 284
rate or amount that is higher, district boundaries that increase 285
the district's area, or types or classes of lodging businesses 286
subject to benefit assessment that are broader, than those 287
stated in the ordinance or resolution adopted under section 288
1787.03 of the Revised Code. 289

If the benefit assessment rate or amount is lower, the 290
reduction shall be made in either a uniform manner or specific 291
to each lodging business. 292

(C) An ordinance or resolution establishing or renewing a 293
tourism promotion district, or modifying a tourism promotion 294
district plan, shall include all of the following: 295

(1) The name of the district and the day it will begin 296
operating; 297

(2) Whether revenue bonds will be issued under section 298
1787.08 of the Revised Code for the benefit of the district; 299

(3) The term of years the district shall be in operation; 300

(4) A statement that the approved district plan is 301
incorporated into the ordinance or resolution by reference; 302

(5) A description of the proposed supplemental services 303

and improvements, the amount or rate of the proposed benefit 304
assessment, a description of the types or classes of lodging 305
businesses that will be subject to the assessment, and a 306
description of the boundaries of the tourism promotion district, 307
which may be made by reference to any plan or map that is on 308
file with the legislative authority. 309

The descriptions in division (C) (5) of this section do not 310
need to be detailed and need only enable a person to generally 311
identify the nature and extent of the proposed supplemental 312
services and improvements and the location and extent of the 313
territory of the proposed tourism promotion district. 314

(6) The number, date of adoption, and title of the 315
ordinance or resolution adopted under section 1787.03 or section 316
1787.04 of the Revised Code; 317

(7) The time and place where the public hearing required 318
under section 1787.05 of the Revised Code was held; 319

(8) A determination regarding any protests received in 320
accordance with division (B) of section 1787.05 of the Revised 321
Code, or for which the legislative authority waived 322
irregularity; 323

(9) The following statement: "The lodging businesses in 324
the tourism promotion district shall be subject to any 325
amendments to Chapter 1787. of the Revised Code"; 326

(10) A statement that the supplemental services and 327
improvements to be provided to lodging businesses in the tourism 328
promotion district will be funded by the proceeds of the benefit 329
assessment; 330

(11) A finding that the lodging businesses within the 331
tourism promotion district will benefit from the supplemental 332

services and improvements funded by the benefit assessment; 333

(12) The amount of services and improvements funded by the 334
county, township, or municipal corporation in the area 335
encompassed by the district for the fiscal year preceding the 336
fiscal year in which the ordinance or resolution is adopted; 337

(13) A statement that, for any fiscal year in which the 338
district is in operation, the legislative authority shall not 339
reduce funding for services and improvements for the area 340
encompassed by the district below the amount described in 341
division (C) (12) of this section. 342

Sec. 1787.07. After adopting the authorizing resolution, 343
the authorizing legislative authority shall levy the benefit 344
assessment at the amount or rate authorized in that resolution 345
on lodging businesses of the type or class that are subject to 346
the benefit assessment for the term of the tourism promotion 347
district, as described in the district plan and beginning on the 348
date the district begins operating. 349

Benefit assessments may be levied based on a per cent of 350
gross lodging business revenue, a fixed dollar amount per 351
transaction, or any other reasonable method based upon benefit. 352
A benefit assessment may vary by types or classes of lodging 353
businesses as described in the tourism promotion district plan. 354
The rate or amount of a benefit assessment shall be levied on a 355
basis that provides a rational relationship between the amount 356
of the assessment against each lodging business subject to the 357
assessment and the benefit rendered to that business. 358

Any lodging business of the types or classes that are 359
subject to the benefit assessment located within the boundaries 360
of the tourism promotion district that begins operations during 361

the district's term shall be subject to the benefit assessment. 362

The collection of the benefit assessments levied pursuant 363
to this chapter shall be made at the time and in the manner 364
described in the district plan. All proceeds shall be remitted 365
by the lodging business owner to the county, township, or 366
municipal corporation and deposited in a special fund created in 367
the county, township, or municipal treasury. Money in that fund 368
shall be paid to a district management association, at the 369
request of that association, and used solely for the 370
supplemental services and improvements authorized in the 371
district plan, including to support the issuance of revenue 372
bonds under section 1787.08 of the Revised Code. 373

All delinquent payments for benefit assessments levied 374
pursuant to this chapter may be charged interest and penalties. 375
A percentage of the benefit assessments, not to exceed two per 376
cent, may be retained by the county, township, or municipal 377
corporation to offset the cost of collection as described in the 378
district plan. 379

All other revenue from the benefit assessment shall be 380
used solely for the purposes specified in the district plan. 381

Any delinquent payments for benefit assessments, along 382
with any interest or penalties, shall constitute a debt owed to 383
the authorizing legislative authority and may be collected by 384
the authorizing legislative authority as a debt under law. 385

Any delinquent payments for benefit assessments, interest, 386
or penalties recovered under this section shall be expended in 387
the same manner as provided in the district plan for proceeds of 388
the benefit assessment. 389

Sec. 1787.08. (A) Pursuant to Ohio Constitution, Article 390

VIII, Section 13, the authorizing legislative authority for a 391
tourism promotion district, the district management association 392
of a tourism promotion district, or a port authority created 393
under Chapter 4582. of the Revised Code that encompasses the 394
entire territory of a tourism promotion district may issue 395
revenue bonds to fund improvements benefiting the district. 396

(B) Benefit assessments levied in two or more tourism 397
promotion districts may be pledged to secure a single revenue 398
bond issue to fund improvements benefiting those districts. 399

(C) Revenue bonds issued pursuant to this section shall be 400
backed exclusively by the benefit assessments supporting the 401
tourism promotion district or districts they are issued to fund. 402
The revenue bonds shall not be regarded as indebtedness of any 403
municipal corporation, township, or county for the purpose of 404
any limitation imposed by any law. 405

Sec. 1787.09. The validity of a benefit assessment levied 406
under this chapter shall not be contested in any action or 407
proceeding unless the action or proceeding is commenced not more 408
than thirty days after the date the authorizing resolution is 409
adopted. To challenge the validity of a benefit assessment, a 410
lodging business owner that is or will be subject to the benefit 411
assessment, or the agent thereof, must file a claim in writing 412
with the court of common pleas in the county where the tourism 413
promotion district is established and the clerk of the 414
legislative authority. The claim shall include a specific 415
showing that the tourism promotion district will not provide a 416
benefit to the claimant's lodging business. Any appeal from a 417
final judgment in an action or proceeding shall be perfected 418
within thirty days after the entry of judgment. 419

Sec. 1787.10. The municipal corporation, township, or 420

county that forms a tourism promotion district shall contract 421
with a new or existing nonprofit corporation that is compliant 422
with division (A) or (B) of this section, as applicable, to act 423
as the district management association and administer or 424
implement the supplemental services and improvements described 425
in the district plan. 426

(A) In the case of a newly formed nonprofit corporation 427
designated as the district management association, the 428
certificate of incorporation or bylaws shall provide that at 429
least two-thirds of the total number of board members must be 430
lodging business owners whose lodging businesses are subject to 431
the tourism promotion district's benefit assessment, or the 432
agents of such owners. 433

(B) Where an existing nonprofit corporation is designated 434
as the district management association, the nonprofit 435
corporation's board of directors shall create a committee of 436
which at least two-thirds of the total number of board members 437
must be lodging business owners whose lodging businesses are 438
subject to the tourism promotion district's benefit assessment, 439
or the agents of such owners. The committee shall be charged 440
with managing benefit assessment funds and fulfilling the 441
obligations of the tourism promotion district plan. 442

(C) A district management association shall have full 443
discretion to select the specific supplemental services and 444
improvements within the authorized parameters of the tourism 445
promotion district plan that will be funded with tourism 446
promotion district benefit assessment revenue. 447

Sec. 1787.11. (A) The district management association 448
shall prepare a report for each fiscal year of the association 449
during which benefit assessments are levied and collected, 450

except the first such year. 451

The district management association shall submit the 452
report to the auditor of state and the authorizing legislative 453
authority not more than ninety days after the conclusion of each 454
fiscal year that the report is required. The auditor of state 455
may require an annual financial audit of the district management 456
association. 457

(B) The report shall refer to the tourism promotion 458
district by name, specify the dates of the fiscal year to which 459
the report applies, and, with respect to that year, include all 460
of the following information: 461

(1) A review of the supplemental services and improvements 462
provided in the preceding fiscal year; 463

(2) The supplemental services and improvements to be 464
provided for the current fiscal year; 465

(3) The association's budget for the current fiscal year, 466
including an estimate of the cost of providing the supplemental 467
services and improvements for that year; 468

(4) The method and basis of levying the benefit 469
assessments in sufficient detail to allow each lodging business 470
owner to estimate the amount of the benefit assessment to be 471
levied against the owner's lodging business for that year; 472

(5) The estimated amount of any surplus revenues to be 473
carried over from the preceding fiscal year. 474

(C) The authorizing legislative authority may approve the 475
annual report as filed by the district management association or 476
may recommend modifications to the report within forty-five days 477
after receiving the report. The report shall be considered final 478

and approved within ninety days following its submission by the 479
district management association to the authorizing legislative 480
authority. 481

Sec. 1787.12. (A) Subject to division (B) of this section, 482
all of the following apply: 483

(1) Tourism promotion districts created under this chapter 484
and district management associations are not political 485
subdivisions, except for the purpose of section 4905.34 of the 486
Revised Code; 487

(2) Tourism promotion districts created under this chapter 488
and district management associations shall be considered public 489
agencies under section 102.01 and public authorities under 490
section 4115.03 of the Revised Code; 491

(3) Tourism promotion districts created under this chapter 492
and district management associations are not subject to sections 493
121.81 to 121.83 of the Revised Code; 494

(4) Tourism promotion districts created under this chapter 495
and district management associations are subject to sections 496
121.22 and 121.23 of the Revised Code; 497

(5) All records of a tourism promotion district created 498
under this chapter and district management associations are 499
public records under section 149.43 of the Revised Code. 500

(B) An existing nonprofit corporation that enters a 501
contract to act as a district management association pursuant to 502
section 1787.10 of the Revised Code is only subject to division 503
(A) of this section when acting as a district management 504
association. Records of such a corporation are not public 505
records under section 149.43 or 149.431 of the Revised Code 506
solely by reason of the corporation's contract to act as a 507

district management association, but all records of the 508
committee described in division (B) of section 1787.10 of the 509
Revised Code are public records under section 149.43 of the 510
Revised Code. 511

(C) Subject to division (D) of this section, both of the 512
following apply: 513

(1) Membership on the board of directors of a district 514
management association shall not be considered as holding a 515
public office. However, each member of the board of directors of 516
a district management association described in division (A) of 517
section 1787.10 of the Revised Code and each member of a 518
committee described in division (B) of section 1787.10 of the 519
Revised Code, each member's designee or proxy, and each officer 520
or employee of a district management association is a public 521
official or employee under section 102.01 and a public official 522
under section 2921.42 of the Revised Code. District management 523
association officers, members of a board of directors of a 524
district management association described in division (A) of 525
section 1787.10 of the Revised Code, and members of a committee 526
described in division (B) of section 1787.10 of the Revised 527
Code, and their designees or proxies, are not required to file a 528
statement with the Ohio ethics commission under section 102.02 529
of the Revised Code. 530

(2) Members of the board of directors of a district 531
management association described in division (A) of section 532
1787.10 of the Revised Code and members of a committee described 533
in division (B) of section 1787.10 of the Revised Code and their 534
designees are entitled to the same immunity as an employee under 535
division (A) (6) of section 2744.03 of the Revised Code, except 536
that directors and their designees are not entitled to the 537

indemnification provided in section 2744.07 of the Revised Code 538
unless the director or designee is an employee or official of 539
the township, county, or municipal corporation whose legislative 540
authority formed the district and is acting within the scope of 541
the director's or designee's employment or official 542
responsibilities. 543

(D) Employees of an existing nonprofit corporation 544
designated as a district management association, and members of 545
a committee described in division (B) of section 1787.10 of the 546
Revised Code, are public officials or employees under section 547
102.01 and public officials under section 2921.42 of the Revised 548
Code by virtue of their positions with the association only when 549
they act with respect to a purpose for which the district is 550
created and not when they act with respect to any other purpose 551
for which the corporation is organized. 552

Sec. 1787.13. (A) An authorizing legislative authority 553
may, by ordinance or resolution adopted on its own initiative, 554
dissolve a tourism promotion district established or renewed 555
pursuant to this chapter if no revenue bonds issued under 556
section 1787.08 of the Revised Code for the benefit of that 557
district remain outstanding and either of the following are 558
true: 559

(1) The legislative authority finds there has been 560
misappropriation of funds from, or other malfeasance relating 561
to, the district; 562

(2) The legislative authority finds there has been a 563
violation of law in connection with the management of the 564
district. 565

(B) During each of the district management association's 566

fiscal years a tourism promotion district operates, excluding 567
the first two years, a majority of lodging business owners 568
subject to the benefit assessment may request, in writing, that 569
the authorizing legislative authority dissolve the tourism 570
promotion district pursuant to and subject to the requirements 571
of division (A) of this section. A request for dissolution from 572
lodging business owners shall be submitted during a thirty-day 573
period beginning on the first day of the district management 574
association's fiscal year. 575

Upon receipt of a written request submitted pursuant to 576
division (B) of this section, the authorizing legislative 577
authority shall adopt an ordinance or resolution stating that it 578
has received a valid request to dissolve the tourism promotion 579
district and it intends to consider the dissolution at a public 580
hearing. The ordinance or resolution shall state the reason for 581
the potential dissolution, the time and place of the public 582
hearing, and a proposal to dispose of any assets acquired with 583
the revenues of the benefit assessments levied within the 584
tourism promotion district. 585

The notice of the hearing on dissolution required by this 586
division shall be sent by the clerk of the legislative authority 587
to each lodging business owner subject to benefit assessments in 588
the tourism promotion district by ordinary mail. The legislative 589
authority shall conduct the public hearing not less than thirty 590
days after mailing the notice to the lodging business owners but 591
not more than sixty days after the adoption of the ordinance or 592
resolution stating that it intends to consider dissolution. 593
After the public hearing, the authorizing legislative authority 594
may adopt an ordinance or resolution dissolving the district. 595

(C) Upon the dissolution or expiration, without renewal, 596

<u>of a tourism promotion district, any remaining revenues, after</u>	597
<u>all outstanding debts are paid, derived from the levy of benefit</u>	598
<u>assessments or derived from the sale of assets acquired with the</u>	599
<u>revenues, shall be spent in accordance with the tourism</u>	600
<u>promotion district plan or shall be refunded to the owners of</u>	601
<u>the lodging businesses in proportion to the district's benefit</u>	602
<u>assessment remitted by each owner in the fiscal year in which</u>	603
<u>the district dissolves or expires.</u>	604