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H.B. 428
136th General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsors: Reps. D. Thomas and Williams

Daniel DeSantis, Research Analyst

SUMMARY

- Removes residency requirements for the city director of public services and the city director of public safety.

DETAILED ANALYSIS

Director residency

Currently under the statutory city structure, the mayor appoints a city director of public services and a city director of public safety. The directors are required to be a resident of the city at the time of their appointment or become a resident within six months unless city council adopts an ordinance to waive the requirement. The bill eliminates the default statutory residency requirement (and the waiver) and instead allows a city to impose a residency requirement by adopting an ordinance. In other words, there will be no residency requirement; the legislative authority of a city may adopt an ordinance to impose a residency requirement if it chooses.¹

Municipal residency requirements have been subject to challenge. In *Lima v. State* in 2009, the Ohio Supreme Court upheld R.C. 9.481, a law passed by the General Assembly generally prohibiting local governments from imposing residency requirements for their employees, as a use of the General Assembly's authority under Article II, Section 34.² The residency requirements the bill eliminates were imposed on municipal employees by the General Assembly itself. It appears that they have not been challenged under the Home Rule Amendment.

¹ R.C. 735.01, 737.01, and 9.481.

² *Lima v. State*, 122 Ohio St.3d 155 (2009).

HISTORY

Action	Date
Introduced	08-28-25
Reported, H. Local Gov't	02-18-26
Passed House (91-0)	02-25-26
