

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 76

Representatives Lorenz, Baker

Cosponsors: Representatives Daniels, Brennan, McNally

A BILL

To amend sections 505.01 and 505.82 and to enact
section 505.013 of the Revised Code to allow the
electors of certain townships to increase the
membership of their boards of township trustees.

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

Section 1. That sections 505.01 and 505.82 be amended and
section 505.013 of the Revised Code be enacted to read as
follows:

Sec. 505.01. ~~In~~ (A) Except as otherwise provided in
section 505.013 of the Revised Code, in each township there
shall be a board of township trustees consisting of three
members. ~~Two of such~~ Trustees shall be elected as follows:

(1) Two trustees shall be elected at the general election
in nineteen forty-nine and quadrennially thereafter, in each
township, who shall hold office for a term of four years,
commencing on the first day of January next after their
election. ~~The~~

(2) The third trustee shall be elected at the general
election in nineteen fifty-one and quadrennially thereafter, in

each township, who shall hold office for a term of four years, 19
commencing on the first day of January next after the person's 20
election. 21

At (B) (1) If the membership of a township's board of 22
trustees is five members, as permitted under section 505.013 of 23
the Revised Code, two additional trustees shall be elected at 24
each general election described in division (A) (2) of this 25
section for terms of four years, commencing on the first day of 26
January after the election. 27

(2) Notwithstanding any contrary provision of law, all of 28
the following apply to a board of township trustees that has 29
five members: 30

(a) Any action that, under applicable law or rule, 31
requires a two-thirds vote of a board of township trustees 32
instead requires a three-fifths vote of the board. 33

(b) Any action that, under applicable law or rule, must be 34
performed by at least two trustees of a township instead must be 35
performed by at least three trustees of the township. 36

(c) If the township is included in a district or other 37
entity whose governing body, under applicable law or rule, 38
includes all of the members of the board of trustees, only three 39
trustees of the township shall be voting members of the 40
governing body, and the remaining two trustees shall be 41
nonvoting members of the governing body. The board of township 42
trustees shall elect the three trustees who are voting members 43
of the governing body from among its members. 44

(C) At the first meeting of the board each ~~calendar~~ 45
calendar year, the board shall select one of its members to 46
serve as chairperson for a term of one year. If the position of 47

chairperson becomes vacant, the board shall select one of its 48
members to preside. 49

Sec. 505.013. (A) The electors of a township that has a 50
population of twenty thousand or more, as determined by the most 51
recent federal decennial census, may increase the membership of 52
the township's board of trustees to five members as follows: 53

(1) Electors of the township shall file with the board of 54
elections a petition proposing to submit to the electors of the 55
township the question of whether to increase the membership of 56
the township's board of trustees to five members. The petition 57
shall be signed by a number of electors of the township equal to 58
ten per cent of the total votes cast for the office of governor 59
at the most recent election for that office in the township. 60

(2) After receiving a valid petition submitted under 61
division (A) (1) of this section, the board of elections shall 62
submit the following question to the electors of the township at 63
the next general election in an even-numbered year occurring at 64
least ninety days after the day the petition is submitted to the 65
board of elections: 66

"Shall the membership of the Board of Trustees of 67
(name of township) in the county of (name of county) be 68
increased from three members to five members? 69

Yes 70

No" 71

(3) If a majority of electors voting on the question vote 72
in the affirmative, then thereafter, two additional trustees 73
shall be elected under division (B) (1) of section 505.01 of the 74
Revised Code, except as otherwise provided in divisions (B) and 75
(C) of this section. 76

(B) The electors of a township that has a population of 77
twenty thousand or more, as determined by the most recent 78
federal decennial census, and whose board of trustees has five 79
members, may decrease the membership of the township's board of 80
trustees to three members as follows: 81

(1) Electors of the township shall file with the board of 82
elections a petition proposing to submit to the electors of the 83
township the question of whether to decrease the membership of 84
the township's board of trustees to three members. The petition 85
shall be signed by a number of electors of the township equal to 86
ten per cent of the total votes cast for the office of governor 87
at the most recent election for that office in the township. 88

(2) Upon receiving a valid petition submitted under 89
division (B) (1) of this section, the board of elections shall 90
submit the following question to the electors of the township at 91
the next general election in an even-numbered year occurring at 92
least ninety days after the day the petition is submitted to the 93
board of elections: 94

"Shall the membership of the Board of Trustees of 95
(name of township) in the county of (name of county) be 96
decreased from five members to three members? 97

Yes 98

No" 99

(3) If a majority of electors voting on the question vote 100
in the affirmative, then thereafter, only one trustee shall be 101
elected at each general election described in division (A) (2) of 102
section 505.01 of the Revised Code, unless and until the 103
electors of the township again increase the membership of the 104
board of trustees under division (A) of this section. The two 105

additional trustees previously elected under division (B) (1) of 106
section 505.01 of the Revised Code shall serve the remainders of 107
their terms. If a vacancy occurs in the office of an additional 108
trustee who is serving the remainder of a term under this 109
division, the vacancy shall be filled for the remainder of the 110
unexpired term as provided in section 503.24 of the Revised 111
Code. 112

(C) If the population of a township with a board of 113
trustees that has five members ceases to be twenty thousand or 114
more, as determined by the most recent federal decennial census, 115
both of the following apply: 116

(1) Thereafter, only one trustee shall be elected at each 117
general election described in division (A) (2) of section 505.01 118
of the Revised Code, unless and until the population of the 119
township becomes twenty thousand or more, as determined by the 120
most recent federal decennial census, and the electors of the 121
township again increase the membership of the board of trustees 122
under division (A) of this section. 123

(2) The two additional trustees previously elected under 124
division (B) (1) of section 505.01 of the Revised Code shall 125
serve the remainders of their terms. If a vacancy occurs in the 126
office of an additional trustee who is serving the remainder of 127
a term under this division, the vacancy shall be filled for the 128
remainder of the unexpired term as provided in section 503.24 of 129
the Revised Code. 130

Sec. 505.82. (A) If a board of township trustees by a 131
unanimous vote or, in the event of the unavoidable absence of 132
one trustee, by an affirmative vote of two trustees in the case 133
of a township that has three trustees, or by an affirmative vote 134
of four trustees in the case of a township that has five 135

trustees, adopts a resolution declaring that an emergency exists 136
that threatens life or property within the unincorporated 137
territory of the township or that such an emergency is imminent, 138
the board may exercise the powers described in divisions (A) (1) 139
and (2) and (B) of this section during the emergency for a 140
period of time not exceeding six months following the adoption 141
of the resolution. The resolution shall state the specific time 142
period for which the emergency powers are in effect. 143

(1) If an owner of an undedicated road or stream bank in 144
the unincorporated territory of the township has not provided 145
for the removal of snow, ice, debris, or other obstructions from 146
the road or bank, the board may provide for that removal. Prior 147
to providing for the removal, the board shall give, or make a 148
good faith attempt to give, oral notice to the owner or owners 149
of the road or bank of the board's intent to clear the road or 150
bank and to impose a service charge for doing so. The board 151
shall establish just and equitable service charges for the 152
removal to be paid, except as provided in division (B) of this 153
section, by the owners of the road or bank. 154

The board shall keep a record of the costs incurred by the 155
township in removing snow, ice, debris, or other obstructions 156
from the road or bank. The service charges shall be based on 157
these costs and shall be in an amount sufficient to recover 158
these costs. If there is more than one owner of the road or 159
bank, the board, except as provided in division (B) of this 160
section, shall allocate the service charges among the owners on 161
an equitable basis. The board shall notify, in writing, each 162
owner of the road or bank of the amount of the service charges 163
and shall certify the charges to the county auditor. The service 164
charges shall constitute a lien upon the property. The auditor 165
shall place the service charges on a special duplicate to be 166

collected as other taxes and returned to the township general 167
fund. 168

(2) The board may contract for the immediate acquisition, 169
replacement, or repair of equipment needed for the emergency 170
situation, without following the competitive bidding 171
requirements of section 5549.21 or any other section of the 172
Revised Code. 173

(B) In lieu of collecting service charges from owners for 174
the removal of snow or ice from an undedicated road by the board 175
of township trustees as provided in division (A) (1) of this 176
section, the board may enter into a contract with a developer 177
whereby the developer agrees to pay the service charges for the 178
snow and ice removal instead of the owners. 179

(C) The removal of snow, ice, debris, or other 180
obstructions from an undedicated road by a board of township 181
trustees acting pursuant to a resolution adopted under division 182
(A) of this section does not constitute approval or acceptance 183
of the undedicated road. 184

(D) As used in this section, "undedicated road" means a 185
road that has not been approved and accepted by the board of 186
county commissioners and is not a part of the state, county, or 187
township road systems as provided in section 5535.01 of the 188
Revised Code. 189

(E) Nothing in this section shall be construed to waive 190
the requirement under section 1517.15 of the Revised Code that 191
approval of plans be obtained from the director of natural 192
resources or the director's representative prior to modifying or 193
causing the modification of the channel of any watercourse that 194
is a wild, scenic, or recreational river outside the limits of a 195

municipal corporation. 196

Section 2. That existing sections 505.01 and 505.82 of the 197
Revised Code are hereby repealed. 198