

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "125.02" insert ", 306.322" 1

In line 32, after "125.02" insert ", 306.322" 2

After line 123, insert: 3

"Sec. 306.322. (A) ~~For~~As used in this section: 4

(1) "Political subdivision" means a county, a municipal corporation, or a township. 5  
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(2) "Governing body" means a board of county commissioners of a county, a legislative authority of a municipal corporation, or a board of trustees of a township. 7  
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(B) For any regional transit authority that levies a 10  
property tax and that includes in its membership political 11  
subdivisions that are located in a county having a population of 12  
at least four hundred thousand according to the most recent 13  
federal census, the procedures of this section apply until- 14  
~~November 5 December 31, 2013~~ 2022, and are in addition to and an 15  
alternative to those established in sections 306.32 ~~and,~~ 16



306.321, and 306.54 of the Revised Code for joining to the 17  
regional transit authority additional ~~counties, municipal~~ 18  
~~corporations, or townships~~political subdivisions. 19

~~(B)~~(C) Any ~~municipal corporation or township~~political 20  
subdivision may adopt a resolution or ordinance proposing to 21  
join a regional transit authority described in division ~~(A)~~(B) 22  
of this section. In its resolution or ordinance, the political 23  
subdivision may propose joining the regional transit authority 24  
for a limited period of three years or without a time limit. 25

~~(C)~~(D) The political subdivision proposing to join the 26  
regional transit authority shall submit a copy of its resolution 27  
or ordinance to the ~~legislative authority governing body~~ of each 28  
~~municipal corporation and the board of trustees of each township~~political 29  
subdivision comprising the regional transit authority. 30  
Within thirty days of receiving the resolution or ordinance for 31  
inclusion in the regional transit authority, the ~~legislative~~ 32  
~~authority governing body~~ of each ~~municipal corporation and the~~ 33  
~~board of trustees of each township~~political subdivision shall 34  
consider the question of whether to include the additional 35  
political subdivision in the regional transit authority, shall 36  
adopt a resolution or ordinance approving or rejecting the 37  
inclusion of the additional political subdivision, and shall 38  
present its resolution or ordinance to the board of trustees of 39  
the regional transit authority. 40

~~(D)~~(E) If a majority of the political subdivisions 41  
comprising the regional transit authority approve the inclusion 42  
of the additional political subdivision under division (D) of 43  
this section, the board of trustees of the regional transit 44  
authority, ~~not~~ may proceed as provided in division (K) of this 45  
section or as provided in divisions (F) to (J) of this section, 46

as applicable.

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(F) Not later than the tenth day following the day on  
which the last ordinance or resolution is presented under  
division (D) of this section, the board of trustees of the  
regional transit authority shall notify the political  
subdivision proposing to join the regional transit authority  
that it may certify the proposal to the board of elections for  
the purpose of having the proposal placed on the ballot at the  
next general election or at a special election conducted on the  
day of the next primary election that occurs not less than  
ninety days after the resolution or ordinance is certified to  
the board of elections.

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~~(E)~~ (G) Upon certification of a proposal to the board of  
elections pursuant to division (F) of this section, the board of  
elections shall make the necessary arrangements for the  
submission of the question to the electors of the territory to  
be included in the regional transit authority qualified to vote  
on the question, and the election shall be held, canvassed, and  
certified in the same manner as regular elections for the  
election of officers of the political subdivision proposing to  
join the regional transit authority, except that, if the  
resolution proposed the inclusion without a time limitation the  
question appearing on the ballot shall read:

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"Shall the territory within the \_\_\_\_\_  
(Name or names of political subdivisions to be joined) be added  
to \_\_\_\_\_ (Name) regional transit  
authority?" and shall a(n) \_\_\_\_\_ (here insert type of tax  
or taxes) at a rate of taxation not to exceed \_\_\_\_\_ (here insert  
maximum tax rate or rates) be levied for all transit purposes?"

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If the resolution proposed the inclusion with a three-year

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time limitation, the question appearing on the ballot shall 77  
read: 78

"Shall the territory within the \_\_\_\_\_ 79  
(Name or names of political subdivisions to be joined) be added 80  
to \_\_\_\_\_ (Name) regional transit 81  
authority?" for three years and shall a(n) \_\_\_\_\_ (here 82  
insert type of tax or taxes) at a rate of taxation not to exceed 83  
\_\_\_\_\_ (here insert maximum tax rate or rates) be levied for all 84  
transit purposes for three years?" 85

~~(F)~~ (H) If the question is approved by at least a majority 86  
of the electors voting on the question, the addition of the new 87  
territory is effective six months from the date of the 88  
certification of its passage, and the regional transit authority 89  
may extend the levy of the tax against all the taxable property 90  
within the territory that was added. If the question is approved 91  
at a general election or at a special election occurring prior 92  
to the general election but after the fifteenth day of July, the 93  
regional transit authority may amend its budget and resolution 94  
adopted pursuant to section 5705.34 of the Revised Code, and the 95  
levy shall be placed on the current tax list and duplicate and 96  
collected as other taxes are collected from all taxable property 97  
within the territorial boundaries of the regional transit 98  
authority, including the territory within the political 99  
subdivision added as a result of the election. If the budget of 100  
the regional transit authority is amended pursuant to this 101  
paragraph, the county auditor shall prepare and deliver an 102  
amended certificate of estimated resources to reflect the change 103  
in anticipated revenues of the regional transit authority. 104

~~(G)~~ (I) If the question is approved by at least a majority 105  
of the electors voting on the question, the board of trustees of 106

the regional transit authority immediately shall amend the 107  
resolution or ordinance creating the regional transit authority 108  
to include the additional political subdivision. 109

~~(H)~~ (J) If the question approved by a majority of the 110  
electors voting on the question added the political subdivision 111  
for three years, the territory of the additional ~~municipal~~ 112  
~~corporation or township~~ political subdivision in the regional 113  
transit authority shall be removed from the territory of the 114  
regional transit authority three years after the date the 115  
territory was added, as determined in the effective date of the 116  
election, and shall no longer be a part of that authority 117  
without any further action by either the political subdivisions 118  
that were included in the authority prior to submitting the 119  
question to the electors or of the political subdivision added 120  
to the authority as a result of the election. The regional 121  
transit authority reduced to its territory as it existed prior 122  
to the inclusion of the additional ~~municipal corporation or~~ 123  
~~township~~ political subdivision shall be entitled to levy and 124  
collect any property taxes that it was authorized to levy and 125  
collect prior to the enlargement of its territory and for which 126  
authorization has not expired, as if the enlargement had not 127  
occurred. 128

(K) (1) If a majority of the political subdivisions 129  
comprising the regional transit authority approve the inclusion 130  
of the additional political subdivision without a time limit 131  
under division (D) of this section, the board of trustees of the 132  
regional transit authority may adopt a resolution to submit to 133  
the electors of the regional transit authority, as it would be 134  
enlarged by the inclusion, the question of including the 135  
political subdivision in the regional transit authority, of 136  
levying a tax under sections 5739.023 and 5741.022 of the 137

Revised Code throughout the territorial boundaries of the 138  
regional transit authority as so enlarged, and of repealing the 139  
property tax levied by the regional transit authority under 140  
section 306.49 of the Revised Code. 141

The resolution shall state all of the following: 142

(a) The date on which the political subdivision is to be 143  
included in the regional transit authority; 144

(b) The rate of the tax to be levied under sections 145  
5739.023 and 5741.022 of the Revised Code, the number of years 146  
it is to be levied or that it is to be levied for a continuing 147  
period of time, and the date on which it shall first be levied, 148  
all as provided under section 5739.023 of the Revised Code; 149

(c) The last tax year that the property tax is to be 150  
levied under section 306.49 of the Revised Code. 151

(2) Except as otherwise provided in division (K) (5) of 152  
this section, the political subdivision shall not be joined to 153  
the regional transit authority before the first day sales and 154  
use tax is levied by the regional transit authority under 155  
sections 5739.023 and 5741.022 of the Revised Code. Sales and 156  
use tax shall not be levied under those sections on or before 157  
the last day of the last tax year the regional transit authority 158  
levies property tax under section 306.49 of the Revised Code. 159

(3) The board of trustees of the regional transit 160  
authority shall certify the resolution to the board of elections 161  
for the purpose of having the proposal placed on the ballot at 162  
the next general election or at a special election conducted on 163  
the day of the next primary election that occurs not less than 164  
ninety days after the resolution is certified to the board of 165  
elections. The election shall be held, canvassed, and certified, 166

as provided in section 306.70 of the Revised Code, except that 167  
the question appearing on the ballot shall read: 168

"Shall the territory within the \_\_\_\_\_ (Name or 169  
names of political subdivisions to be joined) be added to 170  
\_\_\_\_\_ (Name) regional transit authority, shall sales 171  
and use tax at a rate not exceeding \_\_\_\_\_ (Insert tax rate) 172  
be levied for all transit purposes throughout the territory of 173  
the regional transit authority, and shall the existing property 174  
tax levied for transit purposes be repealed?" 175

(4) If the question is approved, the sales and use tax may 176  
be levied and collected as is otherwise provided under sections 177  
5739.023 and 5741.022 of the Revised Code on and after the date 178  
stated in the resolution. 179

(5) The board of trustees shall appropriate from the first 180  
moneys received from the sales and use tax in each year the full 181  
amount required in order to pay the principal of and interest on 182  
any notes of the regional transit authority issued pursuant to 183  
section 306.49 of the Revised Code in anticipation of the 184  
collection of the property tax. The board of trustees shall not 185  
thereafter levy and collect the property tax unless and to the 186  
extent that the levy and collection is necessary to pay the 187  
principal of and interest on notes issued in anticipation of the 188  
property tax in order to avoid impairing the obligation of the 189  
contract between the regional transit authority and the note 190  
holders. Such property tax shall be levied only in the territory 191  
of the authority as it existed before the political subdivision 192  
was joined to the authority. 193

(6) If the question is approved after the fifteenth day of 194  
July in any calendar year, the regional transit authority may 195  
amend its budget for the current and next fiscal year, and any 196

resolution adopted pursuant to section 5705.34 of the Revised 197  
Code, to reflect the imposition of the sales and use tax, and 198  
shall amend its budget for the next fiscal year, and any 199  
resolution adopted pursuant to section 5705.34 of the Revised 200  
Code, to comply with division (K) (5) of this section. If the 201  
budget of the regional transit authority is amended pursuant to 202  
this division, the county auditor shall prepare and deliver an 203  
amended certificate of estimated resources to reflect the change 204  
in anticipated revenues of the regional transit authority. 205

(7) If the question is approved, the board of trustees of 206  
the regional transit authority immediately shall amend the 207  
resolution or ordinance creating the regional transit authority 208  
to include the additional political subdivision." 209

In line 7910, after "125.02" insert ", 306.322" 210

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 211

**Transit authority expansion and taxation (DOT019)** 212

**R.C. 306.322** 213

Restores a provision from the introduced bill that 214  
extends, until December 31, 2022, a procedure in current law 215  
allowing a county, municipal corporation, or township to join, 216  
with voter approval, a regional transit authority (RTA) that 217  
levies a property tax and includes subdivisions that are located 218  
in a county with a population of at least 400,000 people, and, 219  
as part of that question, to repeal all RTA property taxes 220



levied and instead levy an RTA sales and use tax.

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