

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 561**

**Representatives Bocchieri, Clyde**

**Cosponsors: Representatives Lepore-Hagan, Howse, Hood**

---

**A BILL**

To amend sections 1545.05 and 1545.06 of the Revised Code to require boards of county commissioners to appoint additional park board commissioners and allow for public comment during appointment process.

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

**Section 1.** That sections 1545.05 and 1545.06 of the Revised Code be amended to read as follows:

**Sec. 1545.05.** (A) Upon the creation of a park district, the probate judge shall appoint three members to the board of park commissioners who shall take office immediately and whose terms shall expire one, two, and three years, respectively, from the first day of January next after the date of their appointment. Thereafter, their successors shall be appointed by the probate judge for terms of three years. Before entering upon the performance of the duties of the office, each ~~commissioner~~ member of the board of park commissioners shall take an oath to perform faithfully the duties of the office and shall give bond for that faithful performance in the sum of five thousand

dollars. The bond shall be approved by and filed with the county auditor. The members of the board of park commissioners shall serve without compensation, but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

(B) Any board of park commissioners of a park district may elect to expand the membership of the board from three members to five members upon a majority vote of the board. Upon such a vote, the board shall certify to the ~~probate judge~~ board of county commissioners of the county in which the park district is located a resolution requesting the ~~judge to~~ board of county commissioners appoint two additional members to the board. The ~~probate judge board of county commissioners~~ shall appoint those additional members, and they shall take office immediately upon their appointment. One member shall be appointed to a term that expires on the first day of January of the year following the year of that member's appointment, and one member shall be appointed to a term that expires on the first day of January of the second year following the year of that member's appointment. Thereafter, their successors shall be appointed by the ~~probate judge~~ board of county commissioners for terms of three years.

(C) For appointments made under division (B) of this section, a member of the appointing board of county commissioners is ineligible for appointment as a member of the board of park commissioners.

(D) Before an appointing probate judge or board of county commissioners makes an appointment under this section or section 1545.06 of the Revised Code, the judge or board shall provide an opportunity for public comment on that appointment.

**Sec. 1545.06.** Any member of a board of park commissioner

commissioners may be removed at the discretion of the probate 49  
judge or board of county commissioners that appointed that 50  
member of the board of park commissioners, either upon complaint 51  
filed with such judge or board of county commissioners or upon 52  
~~his~~ the judge's or the board of county commissioners' own 53  
motion. No such removal shall be made without giving ~~such~~ 54  
~~commissioner~~ the member not less than ten days' notice and a 55  
full opportunity to be heard in ~~his~~ the member's own behalf in a 56  
public hearing. The order removing ~~such commissioner~~ the member 57  
shall state the reasons therefor and shall be entered upon the 58  
records of the probate court. In case of such removal, or in 59  
case of other vacancy in the office of park commissioner, the 60  
appointing judge or board of county commissioners shall fill the 61  
~~vacancy shall be filled by the judge~~ by appointment for the 62  
unexpired term. 63

**Section 2.** That existing sections 1545.05 and 1545.06 of 64  
the Revised Code are hereby repealed. 65