

**As Reported by the Senate Local Government, Public Safety and
Veterans Affairs Committee**

133rd General Assembly

**Regular Session
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Sub. H. B. No. 444

Representatives Baldrige, Abrams

**Cosponsors: Representatives Carfagna, Seitz, Lang, Blair, Stoltzfus, Ginter,
Hambley, Carruthers, Grendell, Swearingen, Stephens, Riedel, Jones, Keller,
Cross, Roemer, O'Brien, Smith, T., Clites, Wiggam, Ghanbari, Rogers, Scherer**

Senators Hackett, Manning, Maharath

A BILL

To amend sections 3.061, 3.30, 9.65, 165.01, 1
165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 2
517.27, 715.82, 742.33, 742.34, 1545.05, 3
1710.02, 1907.15, 2151.70, 2152.42, 3721.15, 4
4503.03, 4765.43, 5153.13, and 5705.25 of the 5
Revised Code to make various changes to township 6
law, to make changes to the laws governing 7
ambulance staffing, and to abate certain unpaid 8
property taxes, penalties, and interest due on 9
property that had been owned by a state college 10
or university, but is currently owned by a 11
township. 12

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

Section 1. That sections 3.061, 3.30, 9.65, 165.01, 13
165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 517.27, 715.82, 14
742.33, 742.34, 1545.05, 1710.02, 1907.15, 2151.70, 2152.42, 15

3721.15, 4503.03, 4765.43, 5153.13, and 5705.25 of the Revised Code be amended to read as follows:

Sec. 3.061. (A) As used in this section:

(1) "Political subdivision" means a county, township, municipal corporation, school district, community school, ~~or a park district created under Chapter 1545. of the Revised Code,~~ library or library district specified in section 3375.32 of the Revised Code, juvenile facility district created under section 2151.65 of the Revised Code, or detention facility district created under section 2152.41 of the Revised Code.

(2) "Employee dishonesty and faithful performance of duty policy" means a policy of insurance, or a coverage document issued by a joint self-insurance pool authorized under section 2744.081 of the Revised Code, to protect ~~a political subdivision from financial or property loss caused by the fraudulent or dishonest actions of, and the failure to perform a duty prescribed by law for, an officer, employee, or appointee that is otherwise required by law to give an individual surety bond before entering upon the discharge of official duties~~ against losses that would otherwise be protected against under a surety bond and to protect against other losses as determined by the political subdivision.

(B) A political subdivision may adopt a policy, by ordinance or resolution, to allow for the use of an employee dishonesty and faithful performance of duty policy, rather than a surety bond, ~~to cover losses caused by the fraudulent or dishonest actions of, and the failure to perform a duty prescribed by law for, officers, employees, or appointees that would otherwise be required to~~ by law to be given by any of the following:

<u>(1) The political subdivision;</u>	46
<u>(2) An officer, employee, or appointee of the political subdivision;</u>	47 48
<u>(3) Any other entity or individual, if the entity or individual is required by law to give a surety bond to the political subdivision.</u>	49 50 51
<u>The employee dishonesty and faithful performance of duty policy also may cover any other entity or individual as determined by the political subdivision.</u>	52 53 54
<u>(C) (1) Any officer, employee, or appointee otherwise required by law to give an individual surety bond to qualify for the office or employment before entering upon the discharge of duties imposed by the office or employment. The shall, before entering upon the discharge of duties imposed by the office or employment, either give the individual surety bond or be covered under an employee dishonesty and faithful performance of duty policy shall be that is in effect and apply becomes applicable to the officer, employee, or appointee before upon the beginning of the individual's term of office or employment and the officer, employee, or appointee shall not commence the discharge of duties until coverage is documented as required by the legislative authority. A lack of coverage on the date on which the discharge of duties are commenced by the individual shall render the office vacant and it shall be filled as required by law.</u>	55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70
<u>(C) (2) Any officer, employee, or appointee otherwise required by law to maintain an individual surety bond to continue being entitled to discharge the duties of the office or employment may, during the individual's term or employment,</u>	71 72 73 74

become covered under an employee dishonesty and faithful 75
performance of duty policy. 76

(D) For a political subdivision that has adopted a policy 77
as authorized under this section, all of the following apply: 78

(1) An officer, employee, or appointee otherwise required 79
by law to give an individual surety bond shall not commence or 80
continue the discharge of duties until coverage is documented as 81
required by the legislative authority. A lack of coverage on the 82
date on which the discharge of duties are commenced or continued 83
by the individual shall render the office vacant and it shall be 84
filled as required by law. 85

(2) Notwithstanding any section of the Revised Code 86
requiring an officer, employee, or appointee of a political 87
subdivision to give bond before being entitled to enter upon the 88
duties of the office or employment, an officer, employee, or 89
appointee shall be considered qualified to hold the office or 90
employment, without giving bond, on the date the oath of office 91
is taken, certified, and filed as required by law. 92

~~(2)~~ (3) Notwithstanding any section of the Revised Code 93
requiring an officer, employee, or appointee of a political 94
subdivision to maintain bond to continue being entitled to 95
discharge the duties of the office or employment, an officer, 96
employee, or appointee who becomes covered under an employee 97
dishonesty and faithful performance of duty policy during the 98
individual's term or employment and who remains covered under 99
the employee dishonesty and faithful performance of duty policy 100
for the duration of the individual's term or employment shall be 101
considered qualified to hold the office or employment, without 102
maintaining bond for the duration of the individual's term or 103
employment as required by law. 104

(4) Notwithstanding section 3.30 or any other section of the Revised Code that provides an office or employment is vacated upon the failure to file bond, the officer, employee, or appointee shall be entitled to enter upon the duties of the office or employment when the policy is in effect as provided in division (B) of this section and the oath is filed as provided in division ~~(C) (1)~~ (D) (2) of this section.

~~(3)~~ (5) All officers, employees, or appointees who would otherwise be required to file a bond before commencing the discharge of duties shall be covered by and are subject to the employee dishonesty and faithful performance of duty policy instead of a surety bond requirement.

~~(4)~~ (6) The coverage amount for an officer, employee, or appointee under an employee dishonesty and faithful performance of duty policy shall be equal to or greater than the maximum amount of the bond otherwise required by law. If no amount, or only a minimum amount, of coverage is specified in law for the particular officer, employee, or appointee, the amount of coverage shall be an amount agreed upon by the legislative authority or the authority otherwise designated by law to determine the amount of the bond.

~~(D)~~ (E) A political subdivision that does not adopt a policy under this section shall continue to use the surety bonds as otherwise provided in the Revised Code.

~~(E)~~ (F) Nothing in this section relieves an officer, employee, or appointee of other applicable requirements to hold the office or employment.

Sec. 3.30. Except as otherwise provided in section 3.061 of the Revised Code, a person elected or appointed to an office

who is required by law to give a bond or security previous to 134
the performance of the duties imposed on the person by the 135
person's office, who refuses or neglects to give such bond or 136
furnish such security within the time and in the manner 137
prescribed by law, and in all respects to qualify self for the 138
performance of such duties, is deemed to have refused to accept 139
the office to which the person was elected or appointed. Such 140
office shall be considered vacant and shall be filled as 141
provided by law. 142

A person subject to a policy adopted under section 3.061 143
of the Revised Code, when the policy is in effect and becomes 144
applicable to the person upon the beginning of the person's term 145
of office or employment, is deemed to have refused to accept the 146
office or employment when the person fails to take, certify, and 147
file the oath of office as required by law or fails to document 148
proof of insurance coverage as provided in division ~~(B)~~(D) of 149
section 3.061 of the Revised Code and the office shall be 150
considered vacant and shall be filled as provided by law. 151

A person who becomes subject to a policy adopted under 152
section 3.061 of the Revised Code during the person's term of 153
office or employment is deemed to have vacated the office when 154
the person fails to document proof of insurance coverage as 155
provided in division (D) of section 3.061 of the Revised Code 156
and the vacancy shall be filled as provided by law. 157

Sec. 9.65. (A) A board of township trustees, a board of 158
fire district trustees of a joint fire district, or the 159
legislative authority of a municipal corporation may establish, 160
by resolution or ordinance, as appropriate, an annuity program 161
for the volunteer fire fighters serving the political 162
subdivision, including those affiliated with a private entity 163

that provides fire-fighting or emergency medical services. The 164
program may permit the board or the legislative authority to 165
contract for, purchase, or otherwise procure from an insurer or 166
insurers licensed to do business by this state an annuity for 167
such fire fighters. The program may also permit the board or the 168
legislative authority at any time to cancel or otherwise 169
terminate an annuity with any particular insurer or insurers. 170
The board or the legislative authority may pay all or any 171
portion of the cost, premium, or charge of the annuity. The 172
board or the legislative authority may create a fund in the 173
treasury of the township, the joint fire district, or the 174
municipal corporation, as appropriate, for the annuity program. 175
The resolution or ordinance creating the program shall include a 176
plan to assure the proper administration and operation of the 177
program. The plan shall include, but not be limited to, all of 178
the following: 179

(1) The requirements a person must meet in order to be 180
eligible to participate in the program; 181

(2) The requirements an eligible person must meet annually 182
in order to participate in the program; 183

(3) A requirement that an audit of the accounts, financial 184
reports, records, and files pertaining to the program be 185
performed in the same manner and with the same frequency that an 186
audit of a public office is performed under section 117.11 of 187
the Revised Code. The audit required under division (A) (3) of 188
this section shall be in addition to and separate from any audit 189
of a township, joint fire district, or municipal corporation 190
required under section 117.11 of the Revised Code but may be 191
performed at the same time as such an audit. 192

(4) Provisions for termination of the program. 193

(B) A political subdivision that has established an annuity program under division (A) of this section may appropriate general revenue fund moneys of the political subdivision not appropriated for any other purpose to the annuity program and may use moneys raised under section 505.37, 505.371, or 505.39 or under division (I) ~~or~~, (U), or (JJ) of section 5705.19 of the Revised Code for the annuity program. Income from the investment of moneys in any fund established in the treasury of a political subdivision for the annuity program shall be paid into the annuity fund.

(C) As used in this section:

(1) "Volunteer fire fighter" means a person who performs service as a fire fighter, or who performs emergency medical service, on a less than full-time basis for a political subdivision.

(2) "Political subdivision" means a municipal corporation, a township, a township fire district, or a joint fire district.

Sec. 165.01. As used in this chapter:

~~(A) "Agency" means a community improvement corporation organized under Chapter 1724. of the Revised Code and designated, pursuant to section 1724.10 of the Revised Code, as the agency of a municipal corporation or county.~~

~~(B) "Bonds" means bonds, notes, or other forms of evidences of obligation issued in temporary or definitive form, including notes issued in anticipation of the issuance of bonds and renewal notes. The funding of bond anticipation notes with bonds or renewal notes and the exchange of definitive bonds for temporary bonds are not subject to section 165.07 of the Revised Code.~~

~~(C)~~—"Bond proceedings" means the resolution or ordinance 223
or the trust agreement or indenture of mortgage, or combination 224
thereof, authorizing or providing for the terms and conditions 225
applicable to bonds issued under authority of this chapter. 226

~~(D)~~—"Issuer" means the state, or a county, township, or 227
municipal corporation of ~~this the state which county or~~ 228
~~municipal corporation has, pursuant to section 1724.10 of the~~ 229
~~Revised Code, designated a community improvement corporation as~~ 230
~~its agency for industrial, commercial, distribution, and~~ 231
~~research development and for which a plan has been prepared by~~ 232
~~such community improvement corporation and confirmed by its~~ 233
~~issuing authority.~~ 234

~~(E)~~—"Issuing authority" means in the case of the state, 235
the director of development services; in the case of a municipal 236
corporation, the legislative authority thereof; in the case of a 237
township, the board of township trustees; and in the case of a 238
county, the board of county commissioners or whatever officers, 239
board, commission, council, or other body might succeed to the 240
legislative powers of the commissioners. 241

~~(F)~~ "Plan" means ~~a plan prepared by the agency pursuant to~~ 242
~~section 1724.10 of the Revised Code, and confirmed by the~~ 243
~~issuing authority of a municipal corporation or county.~~ 244

~~(G)~~—"Pledged facilities" means the project or projects 245
mortgaged or the rentals, revenues, and other income, charges, 246
and moneys from which are pledged, or both, for the payment of 247
the principal of and interest on the bonds issued under 248
authority of section 165.03 of the Revised Code, and includes a 249
project for which a loan has been made under authority of this 250
chapter, in which case, references in this chapter to revenues 251
of such pledged facilities or from the disposition thereof 252

includes payments made or to be made to or for the account of	253
the issuer pursuant to such loan.	254
(H) —"Project" means real or personal property, or both,	255
including undivided and other interests therein, acquired by	256
gift or purchase, constructed, reconstructed, enlarged,	257
improved, furnished, or equipped, or any combination thereof, by	258
an issuer, or by others in whole or in part from the proceeds of	259
a loan made by an issuer, for industry, commerce, distribution,	260
or research and located within the boundaries of the issuer.	261
"Project" includes sanitary facilities, drainage facilities, and	262
prevention or replacement facilities as defined in section	263
6117.01 of the Revised Code. A project as defined in this	264
division is hereby determined to qualify as facilities described	265
in Section 13 of Article VIII, Ohio Constitution.	266
(I) —"Revenues" means the rentals, revenues, payments,	267
repayments, income, charges, and moneys derived or to be derived	268
from the use, lease, sublease, rental, sale, including	269
installment sale or conditional sale, or other disposition of	270
pledged facilities, or derived or to be derived pursuant to a	271
loan made for a project, bond proceeds to the extent provided in	272
the bond proceedings for the payment of principal of, or	273
premium, if any, or interest on the bonds, proceeds from any	274
insurance, condemnation or guaranty pertaining to pledged	275
facilities or the financing thereof, and income and profit from	276
the investment of the proceeds of bonds or of any revenues.	277
(J) —"Security interest" means a mortgage, lien, or other	278
encumbrance on, or pledge or assignment of, or other security	279
interest with respect to all or any part of pledged facilities,	280
revenues, reserve funds, or other funds established under the	281
bond proceedings, or on, of, or with respect to, a lease,	282

sublease, sale, conditional sale or installment sale agreement, 283
loan agreement, or any other agreement pertaining to the lease, 284
sublease, sale, or other disposition of a project or pertaining 285
to a loan made for a project, or any guaranty or insurance 286
agreement made with respect thereto, or any interest of the 287
issuer therein, or any other interest granted, assigned, or 288
released to secure payments of the principal of, premium, if 289
any, or interest on any bonds or to secure any other payments to 290
be made by an issuer under the bond proceedings. Any security 291
interest under this chapter may be prior or subordinate to or on 292
a parity with any other mortgage, lien, encumbrance, pledge, 293
assignment, or other security interest. 294

Sec. 165.03. (A) An issuer may issue bonds for the purpose 295
of providing moneys to acquire by purchase, construct, 296
reconstruct, enlarge, improve, furnish, or equip one or more 297
projects or parts thereof, or for any combination of such 298
purposes, including providing moneys to make loans to others for 299
such purposes. The issuing authority shall provide by resolution 300
or ordinance for the issuance of such bonds. The bond 301
proceedings may contain determinations by the issuing authority 302
that the project to be financed thereunder is a project as 303
defined in this chapter and is consistent with the purposes of 304
Section 13 of Article VIII, Ohio Constitution, and such 305
determinations shall be conclusive as to the validity and 306
enforceability of the bonds issued under such bond proceedings 307
and of such bond proceedings and security interests given and 308
leases, subleases, sale agreements, loan agreements, and other 309
agreements made in connection therewith, all in accordance with 310
their terms. 311

The principal of and interest on the bonds and all other 312
payments required to be made by the bond proceedings shall be 313

payable solely from the revenues and secured by security 314
interests as provided in such bond proceedings. Bond 315
anticipation notes may be secured, solely or additionally, by a 316
covenant of the issuer that it will do all things necessary for 317
the issuance of the bonds anticipated or renewal notes in 318
appropriate amount and either exchange such bonds or renewal 319
notes for such notes or apply the proceeds therefrom to the 320
extent necessary to make full payment of the principal of and 321
interest on such notes. The bond proceedings shall not obligate 322
or pledge moneys raised by taxation. 323

Bonds may be issued at one time or from time to time, 324
shall be dated, shall mature at such time or times not exceeding 325
thirty years from date of issue, and may be redeemable before 326
maturity at such price or prices and under such terms and 327
conditions, all as provided in the bond proceedings. The bonds 328
shall bear interest at such rate or rates, or at a variable rate 329
or rates changing from time to time in accordance with a base or 330
formula, as provided in or authorized by the bond proceedings. 331
The issuing authority shall determine the form of the bonds, fix 332
their denominations and method of execution, and establish 333
within or without the state a place or places for the payment of 334
principal or interest. 335

(B) The issuing authority may provide for sales of bonds 336
at public or private sale as it deems most advantageous and for 337
such prices, whether above or below the par value thereof, as it 338
determines or within such limit or limits as it determines. 339

~~(C) If the issuer is a county or municipal corporation,~~ 340
~~then, prior to the delivery of bonds issued under authority of~~ 341
~~this section, the issuing authority shall first have received~~ 342
~~from its agency a certification that a project to be financed by~~ 343

~~the issuance of such bonds is in accordance with the plan,~~ 344
~~except that no such certification is necessary if the project is~~ 345
~~a sanitary facility, drainage facility, or prevention or~~ 346
~~replacement facility as defined in section 6117.01 of the~~ 347
~~Revised Code. If the state is the issuer, then prior to before~~ 348
the authorization of the bonds, the issuing authority of the 349
state shall have received a written request for the issuance of 350
the bonds from either the board of directors of a port authority 351
created pursuant to the authority of section 4582.02 or 4582.22 352
of the Revised Code if the project is within the jurisdiction of 353
the port authority ~~or,~~ from the issuing authority of the 354
municipal corporation, if the project is within the boundaries 355
of a municipal corporation, or from the issuing authority of the 356
township or county, if the project is within the unincorporated 357
portion of the township or county, and if the project is to be 358
located within a municipal corporation with a plan or in an 359
unincorporated portion of the county with a plan, then prior to 360
the delivery of bonds issued under this section, the issuing 361
authority shall first have received from the agency of the 362
municipal corporation if within its limits, or from the agency 363
of the county if in unincorporated territory, a certification 364
that such project is in accordance with its plan, except that no 365
such certification is necessary if the request for issuance of 366
the bonds is made by the port authority. 367

(D) If the issuer is a county, township, or municipal 368
corporation, then, ~~prior to before~~ the delivery of bonds issued 369
under authority of this section, the issuing authority shall 370
have caused a written notice to have been mailed by certified 371
mail to the director of ~~the department of development~~ services 372
of the state advising such director of the proposed delivery of 373
the bonds, the amount thereof, the proposed lessee, and a 374

general description of the project or projects to be financed. 375

(E) In case any officer who has signed any bonds or 376
coupons pertaining thereto, or caused the officer's facsimile 377
signature to be affixed thereto, ceases to be such officer 378
before such bonds or coupons have been delivered, such bonds or 379
coupons may, nevertheless, be issued and delivered as though the 380
person who had signed the bonds or coupons or caused the 381
person's facsimile signature to be affixed thereto had not 382
ceased to be such officer. Any bonds or coupons may be executed 383
on behalf of the issuer by an officer who, on the date of 384
execution, is the proper officer although on the date of such 385
bonds or coupons such person was not the proper officer. 386

(F) All bonds issued under authority of this chapter, 387
regardless of form or terms and regardless of any other law to 388
the contrary, shall have all qualities and incidents of 389
negotiable instruments, subject to provisions for registration, 390
and may be issued in coupon, fully registered, or other form, or 391
any combination thereof, as the issuing authority determines. 392
Provision may be made for the registration of any coupon bonds 393
as to principal alone or as to both principal and interest, and 394
for the conversion into coupon bonds of any fully registered 395
bonds or bonds registered as to both principal and interest. 396

Sec. 503.07. (A) When the limits of a municipal 397
corporation do not comprise the whole of the township in which 398
it is situated, or if by change of limits of ~~such the~~ 399
corporation include territory lying in more than one township, 400
the legislative authority of ~~such the~~ municipal corporation, by 401
~~a an affirmative majority vote of the majority of the its~~ 402
~~members of such legislative authority,~~ may petition the board of 403
county commissioners for a change of township lines in order to 404

make them identical, in whole or in part, with the limits of the 405
municipal corporation, or to erect a new township out of the 406
portion of such township included within the limits of ~~such the~~ 407
municipal corporation. 408

(B) At least ten days before the municipal legislative 409
authority votes on a change of township lines, the legislative 410
authority shall provide notice to any township that is the 411
subject of the boundary change sought under this section. If the 412
vote is not taken or does not result in an affirmative vote of 413
the majority, notice shall be provided to any such township 414
within ten days after the result is known or the vote is not 415
taken. The notice shall be sent by ordinary mail or, if the 416
municipal corporation has record of an internet identifier of 417
record for the affected township, by that internet identifier of 418
record. 419

(C) The board of county commissioners, on presentation of 420
such the petition, with authentication of the proceedings of the 421
legislative authority authenticated, at a regular or adjourned 422
session, shall, upon the petition of a city, change the 423
boundaries of the township or erect such a new township out of 424
the portion of the township included within the limits of the 425
municipal corporation, and may, upon the petition of a village, 426
change the boundaries of the township or erect such a new 427
township. 428

(D) As used in this section, "internet identifier of 429
record" has the same meaning as in section 9.312 of the Revised 430
Code. 431

Sec. 505.43. In order to obtain police protection, or to 432
obtain additional police protection, any township may enter into 433
a contract with one or more townships, municipal corporations, 434

park districts created pursuant to section 511.18 or 1545.01 of 435
the Revised Code, county sheriffs, joint police districts, or 436
with a governmental entity of an adjoining state upon any terms 437
that are agreed to by them, for services of police departments 438
or use of police equipment, or the interchange of the service of 439
police departments or use of police equipment within the several 440
territories of the contracting subdivisions, if the contract is 441
first authorized by respective boards of township trustees or 442
other legislative bodies. The cost of the contract may be paid 443
for from the township general fund or from funds received 444
pursuant to the passage of a levy authorized pursuant to 445
division (J) or (JJ) of section 5705.19 and section 5705.25 of 446
the Revised Code. 447

Chapter 2744. of the Revised Code, insofar as it is 448
applicable to the operation of police departments, applies to 449
the contracting political subdivisions and police department 450
members when the members are rendering service outside their own 451
subdivision pursuant to the contract. 452

Police department members acting outside the subdivision 453
in which they are employed may participate in any pension or 454
indemnity fund established by their employer to the same extent 455
as while acting within the employing subdivision, and are 456
entitled to all the rights and benefits of Chapter 4123. of the 457
Revised Code, to the same extent as while performing service 458
within the subdivision. 459

The contract may provide for a fixed annual charge to be 460
paid at the times agreed upon and stipulated in the contract. 461

Sec. 505.86. (A) As used in this section: 462

"Party in interest" means an owner of record of the real 463

property on which the building or structure is located, and 464
includes a holder of a legal or equitable lien of record on the 465
real property or the building or other structure. 466

"Total cost" means any costs incurred due to the use of 467
employees, materials, or equipment of the township, any costs 468
arising out of contracts for labor, materials, or equipment, and 469
costs of service of notice or publication required under this 470
section. 471

(B) A board of township trustees, by resolution, may 472
provide for the removal, repair, or securance of buildings or 473
other structures in the township that have been declared 474
insecure, unsafe, or structurally defective by any fire 475
department under contract with the township or by the county 476
building department or other authority responsible under Chapter 477
3781. of the Revised Code for the enforcement of building 478
regulations or the performance of building inspections in the 479
township, or buildings or other structures that have been 480
declared to be in a condition dangerous to life or health, or 481
unfit for human habitation by the board of health of the general 482
health district of which the township is a part. 483

At least thirty days before the removal, repair, or 484
securance of any insecure, unsafe, or structurally defective 485
building or other structure, the board of township trustees 486
shall give notice by certified mail, return receipt requested, 487
to each party in interest of its intention with respect to the 488
removal, repair, or securance of an insecure, unsafe, or 489
structurally defective or unfit building or other structure. 490

If the address of a party in interest is unknown and 491
cannot reasonably be obtained, it is sufficient to publish the 492
notice once in a newspaper of general circulation in the 493

township. 494

(C) (1) If the board of trustees, in a resolution adopted 495
under this section, pursues action to remove any insecure, 496
unsafe, or structurally defective building or other structure, 497
the notice shall include a statement informing the parties in 498
interest that each party in interest is entitled to a hearing if 499
the party in interest requests a hearing in writing within 500
twenty days after the notice was mailed. The written request for 501
a hearing shall be made to the township fiscal officer. 502

(2) If a party in interest timely requests a hearing, the 503
board shall set the date, time, and place for the hearing and 504
notify the party in interest by certified mail, return receipt 505
requested. The date set for the hearing shall be within fifteen 506
days, but not earlier than seven days, after the party in 507
interest has requested a hearing, unless otherwise agreed to by 508
both the board and the party in interest. The hearing shall be 509
recorded by stenographic or electronic means. 510

(3) The board shall make an order deciding the matter not 511
later than thirty days after a hearing, or not later than thirty 512
days after mailing notice to the parties in interest if no party 513
in interest requested a hearing. The order may dismiss the 514
matter or direct the removal, repair, or securance of the 515
building or other structure. At any time, a party in interest 516
may consent to an order. 517

(4) A party in interest who requested and participated in 518
a hearing, and who is adversely affected by the order of the 519
board, may appeal the order under section 2506.01 of the Revised 520
Code. 521

(D) At any time, a party in interest may enter into an 522

agreement with the board of township trustees to perform the 523
removal, repair, or securance of the insecure, unsafe, or 524
structurally defective or unfit building or other structure. 525

(E) If an emergency exists, as determined by the board, 526
notice may be given other than by certified mail and less than 527
thirty days before the removal, repair, or securance. 528

(F) The total cost of removing, repairing, or securing 529
buildings or other structures that have been declared insecure, 530
unsafe, structurally defective, or unfit for human habitation, 531
or of making emergency corrections of hazardous conditions, when 532
approved by the board, shall be paid out of the township general 533
fund from moneys not otherwise appropriated, except that, if the 534
costs incurred exceed five hundred dollars, the board may borrow 535
moneys from a financial institution to pay for the costs in 536
whole or in part. 537

The total cost may be collected by either of the following 538
methods: 539

(1) The board may have the fiscal officer of the township 540
certify the total costs, together with a proper description of 541
the lands to the county auditor who shall place the costs upon 542
the tax duplicate. The costs are a lien upon the lands from and 543
after the date of entry. The costs shall be returned to the 544
township and placed in the township's general fund. 545

(2) The board may commence a civil action to recover the 546
total costs from the owner of record of the real property on 547
which the building or structure is located. 548

(G) Any board of township trustees may, whenever a policy 549
or policies of insurance are in force providing coverage against 550
the peril of fire on a building or structure and the loss agreed 551

to between the named insured or insureds and the company or 552
companies is more than five thousand dollars and equals or 553
exceeds sixty per cent of the aggregate limits of liability on 554
all fire policies covering the building or structure on the 555
property, accept security payments and follow the procedures of 556
divisions (C) and (D) of section 3929.86 of the Revised Code. 557

Sec. 505.87. (A) A board of township trustees may provide 558
for the abatement, control, or removal of vegetation, garbage, 559
refuse, and other debris from land in the township, if the board 560
determines that the owner's maintenance of that vegetation, 561
garbage, refuse, or other debris constitutes a nuisance. 562

(B) At least seven days before providing for the 563
abatement, control, or removal of any vegetation, garbage, 564
refuse, or other debris, the board of township trustees shall 565
notify the owner of the land and any holders of liens of record 566
upon the land that: 567

(1) The owner is ordered to abate, control, or remove the 568
vegetation, garbage, refuse, or other debris, the owner's 569
maintenance of which has been determined by the board to be a 570
nuisance; 571

(2) If that vegetation, garbage, refuse, or other debris 572
is not abated, controlled, or removed, or if provision for its 573
abatement, control, or removal is not made, within seven days, 574
the board shall provide for the abatement, control, or removal, 575
and any ~~expenses~~costs incurred by the board in performing that 576
task shall be entered upon the tax duplicate and become a lien 577
upon the land from the date of entry. 578

The board shall send the notice to the owner of the land 579
by certified mail if the owner is a resident of the township or 580

is a nonresident whose address is known, and by certified mail 581
to lienholders of record; alternatively, if the owner is a 582
resident of the township or is a nonresident whose address is 583
known, the board may give notice to the owner by causing any of 584
its agents or employees to post the notice on the principal 585
structure on the land and to photograph that posted notice with 586
a camera capable of recording the date of the photograph on it. 587
If the owner's address is unknown and cannot reasonably be 588
obtained, it is sufficient to publish the notice once in a 589
newspaper of general circulation in the township. 590

(C) If a board of township trustees determines within 591
twelve consecutive months after a prior nuisance determination 592
that the same owner's maintenance of vegetation, garbage, 593
refuse, or other debris on the same land in the township 594
constitutes a nuisance, at least four days before providing for 595
the abatement, control, or removal of any vegetation, garbage, 596
refuse, or other debris, the board shall give notice of the 597
subsequent nuisance determination to the owner of the land and 598
to any holders of liens of record upon the land as follows: 599

(1) The board shall send written notice by first class 600
mail to the owner of the land and to any lienholders of record. 601
Failure of delivery of the notice shall not invalidate any 602
action to abate, control, or remove the nuisance. Alternatively, 603
the board may give notice to the owner by causing any of its 604
agents or employees to post the notice on the principal 605
structure on the land and to photograph that posted notice with 606
a camera capable of recording the date of the photograph on it. 607

(2) If the owner's address is unknown and cannot 608
reasonably be obtained, it is sufficient to post the notice on 609
the board of township trustee's internet web site for four 610

consecutive days, or to post the notice in a conspicuous 611
location in the board's office for four consecutive days if the 612
board does not maintain an internet web site. 613

(D) The owner of the land or holders of liens of record 614
upon the land may enter into an agreement with the board of 615
township trustees providing for either party to the agreement to 616
perform the abatement, control, or removal before the time the 617
board is required to provide for the abatement, control, or 618
removal under division (E) of this section. 619

(E) If, within seven days after notice is given under 620
division (B) of this section, or within four days after notice 621
is given under division (C) of this section, the owner of the 622
land fails to abate, control, or remove the vegetation, garbage, 623
refuse, or other debris, or no agreement for its abatement, 624
control, or removal is entered into under division (D) of this 625
section, the board of township trustees shall provide for the 626
abatement, control, or removal and may employ the necessary 627
labor, materials, and equipment to perform the task. All 628
~~expenses~~costs incurred, when approved by the board, shall be 629
paid out of the township general fund from moneys not otherwise 630
appropriated, except that if the ~~expenses~~costs incurred exceed 631
five hundred dollars, the board may borrow moneys from a 632
financial institution to pay for the ~~expenses~~costs in whole or 633
in part. 634

(F) The board of township trustees shall make a written 635
report to the county auditor of the board's action under this 636
section. The board shall include in the report a proper 637
description of the premises and a statement of all ~~expenses~~ 638
costs incurred in providing for the abatement, control, or 639
removal of any vegetation, garbage, refuse, or other debris as 640

provided in division (E) of this section, including the board's 641
charges for its services, the costs incurred in providing 642
notice, any fees or interest paid to borrow moneys, and the 643
amount paid for labor, materials, and equipment. The ~~expenses-~~ 644
~~incurred, when allowed, shall be entered~~ county auditor shall 645
place the costs upon the tax duplicate~~r~~. The costs are a lien 646
upon the land from and after the date of the entry, ~~shall be-~~ 647
~~collected as other taxes, and~~. The costs shall be returned to 648
the township and placed in the ~~township~~ township's general fund. 649

Sec. 505.871. (A) A board of township trustees may 650
provide, by resolution, for the removal of any vehicle in the 651
unincorporated territory of the township that the board 652
determines is a junk motor vehicle, as defined in section 653
505.173 of the Revised Code. 654

(B) If a junk motor vehicle is located on public property, 655
the board of township trustees may provide in the resolution for 656
the immediate removal of the vehicle. 657

(C) (1) If a junk motor vehicle is located on private 658
property, the board of township trustees may provide in the 659
resolution for the removal of the vehicle not sooner than 660
fourteen days after the board serves written notice of its 661
intention to remove or cause the removal of the vehicle on the 662
owner of the land and any holders of liens of record on the 663
land. 664

(2) The notice provided under this division shall 665
generally describe the vehicle to be removed and indicate all of 666
the following: 667

(a) The board has determined that the vehicle is a junk 668
motor vehicle. 669

(b) If the owner of the land fails to remove the vehicle 670
within fourteen days after service of the notice, the board may 671
remove or cause the removal of the vehicle. 672

(c) Any ~~expenses~~costs the board incurs in removing or 673
causing the removal of the vehicle may be entered upon the tax 674
duplicate and become a lien upon the land from the date of 675
entry. 676

(3) The board shall serve the notice under this division 677
by sending it by certified mail, return receipt requested, to 678
the owner of the land, if the owner resides in the 679
unincorporated territory of the township or if the owner resides 680
outside the unincorporated territory of the township and the 681
owner's address is known or ascertainable through an exercise of 682
reasonable diligence. The board also shall send notice in such 683
manner to any holders of liens of record on the land. If a 684
notice sent by certified mail is refused or unclaimed, or if an 685
owner's address is unknown and cannot reasonably be ascertained 686
by an exercise of reasonable diligence, the board shall publish 687
the notice once in a newspaper of general circulation in the 688
township before the removal of the vehicle, and, if the land 689
contains any structures, the board also shall post the notice on 690
the principal structure on the land. 691

A notice sent by certified mail shall be deemed to be 692
served for purposes of this section on the date it was received 693
as indicated by the date on a signed return receipt. A notice 694
given by publication shall be deemed to be served for purposes 695
of this section on the date of the newspaper publication. 696

(D) The board of township trustees may cause the removal 697
or may employ the labor, materials, and equipment necessary to 698
remove a junk motor vehicle under this section. All ~~expenses~~ 699

costs incurred in removing or causing the removal of a junk motor vehicle, when approved by the board, shall be paid out of the township general fund from moneys not otherwise appropriated, except that if the ~~expenses~~ costs exceed five hundred dollars, the board may borrow moneys from a financial institution to pay the ~~expenses~~ costs in whole or in part.

(E) The board of township trustees may utilize any lawful means to collect the ~~expenses~~ costs incurred in removing or causing the removal of a junk motor vehicle under this section, including any fees or interest paid to borrow moneys under division (D) of this section. The board may direct the township fiscal officer to certify the ~~expenses~~ costs and a description of the land to the county auditor, ~~who~~. The county auditor shall place the ~~expenses~~ costs upon the tax duplicate as. The costs are a lien upon the land to from and after the date of entry. The costs shall be collected as other taxes and returned to the township and placed in the township's general fund.

(F) (1) As used in this division:

(a) "Motor vehicle salvage dealer" has the same meaning as in section 4738.01 of the Revised Code.

(b) "Scrap metal processing facility" has the same meaning as in section 4737.05 of the Revised Code.

(2) Notwithstanding section 4513.63 of the Revised Code, if a junk motor vehicle is removed and disposed of in accordance with this section, the clerk of courts of the county shall issue a salvage certificate of title for that junk motor vehicle to a motor vehicle salvage dealer licensed pursuant to Chapter 4738. of the Revised Code or a scrap metal processing facility licensed pursuant to sections 4737.05 to 4737.12 of the Revised

Code if all of the following conditions are satisfied: 729

(a) The board of township trustees has entered into a 730
contract with the motor vehicle salvage dealer or scrap metal 731
processing facility for the disposal or removal of the junk 732
motor vehicle in accordance with section 505.85 of the Revised 733
Code. 734

(b) The fiscal officer for the board of township trustees 735
executes in triplicate an affidavit prescribed by the registrar 736
of motor vehicles describing the junk motor vehicle and the 737
manner of removal or disposal and certifying that all 738
requirements of this section and the notice and records search 739
requirements of section 4505.101 of the Revised Code have been 740
satisfied. 741

(c) The board of township trustees retains the original 742
affidavit for the board's records and furnishes the remaining 743
two copies of the affidavit to the motor vehicle salvage dealer 744
or scrap metal processing facility. 745

(d) The motor vehicle salvage dealer or scrap metal 746
processing facility presents one copy of the affidavit to the 747
clerk. 748

(3) The clerk shall issue the salvage certificate of 749
title, free and clear of all liens and encumbrances, not later 750
than thirty days after the motor vehicle salvage dealer or scrap 751
metal processing facility presents the affidavit pursuant to 752
division (F)(2) of this section. 753

(G) Notwithstanding section 4513.65 of the Revised Code, 754
but subject to division (H)(2) of this section, any collector's 755
vehicle that meets the definition of a junk motor vehicle is 756
subject to removal under this section. 757

(H) (1) Nothing in this section affects the authority of a board of township trustees to adopt and enforce resolutions under section 505.173 of the Revised Code to regulate the storage of junk motor vehicles on private or public property in the unincorporated territory of the township.

(2) A resolution adopted under this section is subject to the same restrictions specified in division (A) of section 505.173 of the Revised Code for resolutions adopted under that section.

Sec. 517.27. (A) When a public cemetery in a township is not under the control of a municipal corporation, and the title or control ~~thereof~~ is vested in an association or ~~the~~ its board of trustees ~~thereof~~, or is vested in a religious society, whether incorporated or not, or in ~~the~~ its board of trustees ~~thereof~~, and such cemetery is used exclusively for cemetery purposes, such association, society, or ~~the~~ board of trustees ~~thereof~~ may convey such grounds to the board of township trustees and its successors in office. ~~Subject~~ Except as provided in division (B) of this section, and subject to the rights of the original grantor, ~~his~~ the original grantor's heirs or assigns, the board of township trustees shall accept and take possession of ~~such~~ the grounds, and take care of, keep in repair, hold, treat, and manage them in all respects as required by sections 517.01 to 517.32, inclusive, of the Revised Code.

(B) A board of township trustees is not required to accept and take possession of the grounds of a public cemetery, or to take care of, keep in repair, hold, treat, or manage the grounds as described in division (A) of this section, if, as a result of the conveyance, any parcel abutting the cemetery grounds or from which the grounds were partitioned or subdivided satisfies any

<u>of the following conditions:</u>	788
<u>(1) The parcel is owned by the association or its trustees</u>	789
<u>or the religious society that conveyed the cemetery grounds or</u>	790
<u>by an association, its trustees, or a religious society that is</u>	791
<u>a successor to the association, trustees, or religious society</u>	792
<u>that conveyed the cemetery grounds.</u>	793
<u>(2) Any part of the parcel, including any building or</u>	794
<u>structure situated on the parcel, is used for social,</u>	795
<u>educational, recreational, or religious activities of the</u>	796
<u>association or religious society or of an association or</u>	797
<u>religious society that is a successor to the association,</u>	798
<u>trustees, or religious society that conveyed the cemetery</u>	799
<u>grounds.</u>	800
<u>(3) Any part of the parcel, including any building or</u>	801
<u>structure situated on the parcel, is exempted from property</u>	802
<u>taxation under section 5709.07 or 5709.14 of the Revised Code,</u>	803
<u>or under division (B) of section 5709.12 of the Revised Code on</u>	804
<u>the basis of being used exclusively for charitable purposes by</u>	805
<u>the association or religious society that conveyed the cemetery</u>	806
<u>grounds.</u>	807
<u>(C) When a cemetery association or religious society</u>	808
<u>conveys a cemetery under this section, all cemetery records and</u>	809
<u>funds shall be transferred to the township. Transferred funds</u>	810
<u>shall be used exclusively for cemetery purposes as set forth in</u>	811
<u>section 1721.06 of the Revised Code and any other similar</u>	812
<u>provisions of the Revised Code that require funds to be held in</u>	813
<u>trust for cemetery purposes.</u>	814
Sec. 715.82. A municipal corporation may issue bonds and	815
exercise all other powers under Chapter 165. of the Revised Code	816

for one or more projects or parts thereof located in a joint 817
economic development district created pursuant to a contract 818
entered into under section 715.70, 715.71, or 715.72 of the 819
Revised Code to which the municipal corporation is a party, or 820
in a township adjacent to that municipal corporation, if the 821
legislative authority of the municipal corporation determines 822
that the project is in furtherance of the public purposes of the 823
state to create or preserve jobs and employment opportunities 824
and to improve the economic welfare of the people of the 825
municipal corporation and the township. As used in this section, 826
"project" has the same meaning as in ~~division (H) of~~ section 827
165.01 of the Revised Code, except that a project described in 828
this section is not required to be located within the 829
territorial boundaries of the municipal corporation. 830

Sec. 742.33. (A) Each employer shall pay monthly, on such 831
dates as the board of trustees of the Ohio police and fire 832
pension fund requires, from its general fund, or from a levy 833
imposed pursuant to ~~division (J) or~~ (W), or (JJ) of section 834
5705.19 of the Revised Code, to the fund an amount known as the 835
"police officer employers' contribution," which shall be 836
nineteen and one-half per cent of the salaries as defined in 837
division (L) of section 742.01 of the Revised Code of the 838
members of the police department of the employer. 839

(B) The taxing authority of each municipal corporation in 840
which there was a police relief and pension fund on October 1, 841
1965, shall annually, in the manner provided for making other 842
municipal levies and in addition to all other levies authorized 843
by law, levy a tax of three-tenths of one mill upon all the real 844
and personal property as listed for taxation in the municipal 845
corporation for the purpose of paying the police officer 846
employers' contribution and the municipal corporation's accrued 847

liability for its former police relief and pension fund and 848
interest thereon, and of defraying the current operating 849
expenses of the municipal corporation. The annual revenues 850
derived from the tax shall be used in the following order: 851

(1) First, to pay the current police officer employers' 852
contribution and any interest related thereto; 853

(2) Second, to pay any accrued liability chargeable to the 854
municipal corporation during the current calendar year for its 855
former police relief and pension fund and any interest related 856
thereto; 857

(3) Third, to defray the current operating expenses of the 858
municipal corporation. 859

Sec. 742.34. (A) Each employer shall pay monthly, on such 860
dates as the board of trustees of the Ohio police and fire 861
pension fund requires, from its general fund, or from a levy 862
imposed pursuant to division (I) ~~or~~, (W), or (JJ) of section 863
5705.19 of the Revised Code, to the fund an amount known as the 864
"firefighter employers' contribution," which shall be twenty- 865
four per cent of the salaries as defined in division (L) of 866
section 742.01 of the Revised Code of the members of the fire 867
department of the employer. 868

(B) The taxing authority of each municipal corporation in 869
which there was a firemen's relief and pension fund on October 870
1, 1965, shall annually, in the manner provided for making other 871
municipal levies and in addition to all other levies authorized 872
by law, levy a tax of three-tenths of one mill upon all the real 873
and personal property as listed for taxation in the municipal 874
corporation for the purpose of paying the firefighter employers' 875
contribution and the municipal corporation's accrued liability 876

for its former firemen's relief and pension fund and interest 877
thereon, and of defraying the current operating expenses of the 878
municipal corporation. The annual revenues derived from the tax 879
shall be used in the following order: 880

(1) First, to pay the current firefighter employers' 881
contribution and any interest related thereto; 882

(2) Second, to pay any accrued liability chargeable to the 883
municipal corporation during the current calendar year for its 884
former firemen's relief and pension fund and any interest 885
related thereto; 886

(3) Third, to defray the current operating expenses of the 887
municipal corporation. 888

Sec. 1545.05. (A) Upon the creation of a park district, 889
the probate judge shall appoint three commissioners who shall 890
take office immediately and whose terms shall expire one, two, 891
and three years, respectively, from the first day of January 892
next after the date of their appointment. Thereafter, their 893
successors shall be appointed by the probate judge for terms of 894
three years. Before entering upon the performance of the duties 895
of the office, each commissioner shall take an oath to perform 896
faithfully the duties of the office and, except as otherwise 897
provided in section 3.061 of the Revised Code, shall give bond 898
for that faithful performance in the sum of five thousand 899
dollars. The bond shall be approved by and filed with the county 900
auditor. The commissioners shall serve without compensation, but 901
shall be allowed their actual and necessary expenses incurred in 902
the performance of their duties. 903

(B) Any board of park commissioners of a park district may 904
elect to expand the membership of the board from three members 905

to five members upon a majority vote of the board. Upon such a 906
vote, the board shall certify to the probate judge a resolution 907
requesting the judge to appoint two additional members to the 908
board. The probate judge shall appoint those additional members, 909
and they shall take office immediately upon their appointment. 910
One member shall be appointed to a term that expires on the 911
first day of January of the year following the year of that 912
member's appointment, and one member shall be appointed to a 913
term that expires on the first day of January of the second year 914
following the year of that member's appointment. Thereafter, 915
their successors shall be appointed by the probate judge for 916
terms of three years. 917

Sec. 1710.02. (A) A special improvement district may be 918
created within the boundaries of any one municipal corporation, 919
any one township, or any combination of ~~contiguous~~ municipal 920
corporations and townships within a single county, or counties 921
that adjoin one another, for the purpose of developing and 922
implementing plans for public improvements and public services 923
that benefit the district. A district may be created by petition 924
of the owners of real property within the proposed district, or 925
by an existing qualified nonprofit corporation. If the district 926
is created by an existing qualified nonprofit corporation, the 927
purposes for which the district is created may be supplemental 928
to the other purposes for which the corporation is organized. 929
All territory in a special improvement district shall be 930
contiguous; except that the territory in a special improvement 931
district may be noncontiguous if at least one special energy 932
improvement project or shoreline improvement project is 933
designated for each parcel of real property included within the 934
special improvement district. Additional territory may be added 935
to a special improvement district created under this chapter for 936

the purpose of developing and implementing plans for special 937
energy improvement projects or shoreline improvement projects if 938
at least one special energy improvement project or shoreline 939
improvement project, respectively, is designated for each parcel 940
of real property included within such additional territory and 941
the addition of territory is authorized by the initial plan 942
proposed under division (F) of this section or a plan adopted by 943
the board of directors of the special improvement district under 944
section 1710.06 of the Revised Code. 945

The district shall be governed by the board of trustees of 946
a nonprofit corporation. This board shall be known as the board 947
of directors of the special improvement district. No special 948
improvement district shall include any church property, or 949
property of the federal or state government or a county, 950
township, or municipal corporation, unless the church or the 951
county, township, or municipal corporation specifically requests 952
in writing that the property be included within the district, or 953
unless the church is a member of the existing qualified 954
nonprofit corporation creating the district at the time the 955
district is created. A shoreline improvement project may extend 956
into the territory of Lake Erie as described in sections 1506.10 957
and 1506.11 of the Revised Code. However, the state shall remain 958
exempt from any special assessment that may be levied against 959
that territory under section 1710.06 and Chapter 727. of the 960
Revised Code. More than one district may be created within a 961
participating political subdivision, but no real property may be 962
included within more than one district unless the owner of the 963
property files a written consent with the clerk of the 964
legislative authority, the township fiscal officer, or the 965
village clerk, as appropriate. The area of each district shall 966
be contiguous; except that the area of a special improvement 967

district may be noncontiguous if all parcels of real property 968
included within such area contain at least one special energy 969
improvement or shoreline improvement thereon. 970

(B) Except as provided in division (C) of this section, a 971
district created under this chapter is not a political 972
subdivision. A district created under this chapter shall be 973
considered a public agency under section 102.01 and a public 974
authority under section 4115.03 of the Revised Code. Each member 975
of the board of directors of a district, each member's designee 976
or proxy, and each officer and employee of a district shall be 977
considered a public official or employee under section 102.01 of 978
the Revised Code and a public official and public servant under 979
section 2921.42 of the Revised Code. Districts created under 980
this chapter are not subject to sections 121.81 to 121.83 of the 981
Revised Code. Districts created under this chapter are subject 982
to sections 121.22 and 121.23 of the Revised Code. 983

(C) Each district created under this chapter shall be 984
considered a political subdivision for purposes of section 985
4905.34 of the Revised Code. 986

Membership on the board of directors of the district shall 987
not be considered as holding a public office. Directors and 988
their designees shall be entitled to the immunities provided by 989
Chapter 1702. and to the same immunity as an employee under 990
division (A) (6) of section 2744.03 of the Revised Code, except 991
that directors and their designees shall not be entitled to the 992
indemnification provided in section 2744.07 of the Revised Code 993
unless the director or designee is an employee or official of a 994
participating political subdivision of the district and is 995
acting within the scope of the director's or designee's 996
employment or official responsibilities. 997

District officers and district members and directors and 998
their designees or proxies shall not be required to file a 999
statement with the Ohio ethics commission under section 102.02 1000
of the Revised Code. All records of the district shall be 1001
treated as public records under section 149.43 of the Revised 1002
Code, except that records of organizations contracting with a 1003
district shall not be considered to be public records under 1004
section 149.43 or section 149.431 of the Revised Code solely by 1005
reason of any contract with a district. 1006

(D) Except as otherwise provided in this section, the 1007
nonprofit corporation that governs a district shall be organized 1008
in the manner described in Chapter 1702. of the Revised Code. 1009
Except in the case of a district created by an existing 1010
qualified nonprofit corporation, the corporation's articles of 1011
incorporation are required to be approved, as provided in 1012
division (E) of this section, by resolution of the legislative 1013
authority of each participating political subdivision of the 1014
district. A copy of that resolution shall be filed along with 1015
the articles of incorporation in the secretary of state's 1016
office. 1017

In addition to meeting the requirements for articles of 1018
incorporation set forth in Chapter 1702. of the Revised Code, 1019
the articles of incorporation for the nonprofit corporation 1020
governing a district formed under this chapter shall provide all 1021
the following: 1022

(1) The name for the district, which shall include the 1023
name of each participating political subdivision of the 1024
district; 1025

(2) A description of the territory within the district, 1026
which may be all or part of each participating political 1027

subdivision. The description shall be specific enough to enable 1028
real property owners to determine if their property is located 1029
within the district. 1030

(3) A description of the procedure by which the articles 1031
of incorporation may be amended. The procedure shall include 1032
receiving approval of the amendment, by resolution, from the 1033
legislative authority of each participating political 1034
subdivision and filing the approved amendment and resolution 1035
with the secretary of state. 1036

(4) The reasons for creating the district, plus an 1037
explanation of how the district will be conducive to the public 1038
health, safety, peace, convenience, and welfare of the district. 1039

(E) The articles of incorporation for a nonprofit 1040
corporation governing a district created under this chapter and 1041
amendments to them shall be submitted to the municipal 1042
executive, if any, and the legislative authority of each 1043
municipal corporation or township in which the proposed district 1044
is to be located. Except in the case of a district created by an 1045
existing qualified nonprofit corporation, the articles or 1046
amendments shall be accompanied by a petition signed either by 1047
the owners of at least sixty per cent of the front footage of 1048
all real property located in the proposed district that abuts 1049
upon any street, alley, public road, place, boulevard, parkway, 1050
park entrance, easement, or other existing public improvement 1051
within the proposed district, excluding church property or 1052
property owned by the state, county, township, municipal, or 1053
federal government, unless a church, county, township, or 1054
municipal corporation has specifically requested in writing that 1055
the property be included in the district, or by the owners of at 1056
least seventy-five per cent of the area of all real property 1057

located within the proposed district, excluding church property 1058
or property owned by the state, county, township, municipal, or 1059
federal government, unless a church, county, township, or 1060
municipal corporation has specifically requested in writing that 1061
the property be included in the district. Pursuant to Section 2o 1062
of Article VIII, Ohio Constitution, the petition required under 1063
this division may be for the purpose of developing and 1064
implementing plans for special energy improvement projects or 1065
shoreline improvement projects, and, in such case, is determined 1066
to be in furtherance of the purposes set forth in Section 2o of 1067
Article VIII, Ohio Constitution. Except as provided in division 1068
(H) of this section, if a special improvement district is being 1069
created under this chapter for the purpose of developing and 1070
implementing plans for special energy improvement projects or 1071
shoreline improvement projects, the petition required under this 1072
division shall be signed by one hundred per cent of the owners 1073
of the area of all real property located within the proposed 1074
special improvement district, at least one special energy 1075
improvement project or shoreline improvement project shall be 1076
designated for each parcel of real property within the special 1077
improvement district, and the special improvement district may 1078
include any number of parcels of real property as determined by 1079
the legislative authority of each participating political 1080
subdivision in which the proposed special improvement district 1081
is to be located. For purposes of determining compliance with 1082
these requirements, the area of the district, or the front 1083
footage and ownership of property, shall be as shown in the most 1084
current records available at the county recorder's office and 1085
the county engineer's office sixty days prior to the date on 1086
which the petition is filed. 1087

Each municipal corporation or township with which the 1088

petition is filed has sixty days to approve or disapprove, by 1089
resolution, the petition, including the articles of 1090
incorporation. In the case of a district created by an existing 1091
qualified nonprofit corporation, each municipal corporation or 1092
township has sixty days to approve or disapprove the creation of 1093
the district after the corporation submits the articles of 1094
incorporation or amendments thereto. This chapter does not 1095
prohibit or restrict the rights of municipal corporations under 1096
Article XVIII of the Ohio Constitution or the right of the 1097
municipal legislative authority to impose reasonable conditions 1098
in a resolution of approval. The acquisition, installation, 1099
equipping, and improvement of a special energy improvement 1100
project under this chapter shall not supersede any local zoning, 1101
environmental, or similar law or regulation. In addition, all 1102
activities associated with a shoreline improvement project that 1103
is implemented under this chapter shall comply with all 1104
applicable local zoning requirements, all local, state, and 1105
federal environmental laws and regulations, and all applicable 1106
requirements established in Chapter 1506. of the Revised Code 1107
and rules adopted under it. 1108

(F) Persons proposing creation and operation of the 1109
district may propose an initial plan for public services or 1110
public improvements that benefit all or any part of the 1111
district. Any initial plan shall be submitted as part of the 1112
petition proposing creation of the district or, in the case of a 1113
district created by an existing qualified nonprofit corporation, 1114
shall be submitted with the articles of incorporation or 1115
amendments thereto. 1116

An initial plan may include provisions for the following: 1117

(1) Creation and operation of the district and of the 1118

nonprofit corporation to govern the district under this chapter;	1119
(2) Hiring employees and professional services;	1120
(3) Contracting for insurance;	1121
(4) Purchasing or leasing office space and office equipment;	1122 1123
(5) Other actions necessary initially to form, operate, or organize the district and the nonprofit corporation to govern the district;	1124 1125 1126
(6) A plan for public improvements or public services that benefit all or part of the district, which plan shall comply with the requirements of division (A) of section 1710.06 of the Revised Code and may include, but is not limited to, any of the permissive provisions described in the fourth sentence of that division or listed in divisions (A) (1) to (7) of that section;	1127 1128 1129 1130 1131 1132
(7) If the special improvement district is being created under this chapter for the purpose of developing and implementing plans for special energy improvement projects or shoreline improvement projects, provision for the addition of territory to the special improvement district.	1133 1134 1135 1136 1137
After the initial plan is approved by all municipal corporations and townships to which it is submitted for approval and the district is created, each participating subdivision shall levy a special assessment within its boundaries to pay for the costs of the initial plan. The levy shall be for no more than ten years from the date of the approval of the initial plan; except that if the proceeds of the levy are to be used to pay the costs of a special energy improvement project or shoreline improvement project, the levy of a special assessment shall be for no more than thirty years from the date of approval	1138 1139 1140 1141 1142 1143 1144 1145 1146 1147

of the initial plan. In the event that additional territory is 1148
added to a special improvement district, the special assessment 1149
to be levied with respect to such additional territory shall 1150
commence not earlier than the date such territory is added and 1151
shall be for no more than thirty years from such date. For 1152
purposes of levying an assessment for this initial plan, the 1153
services or improvements included in the initial plan shall be 1154
deemed a special benefit to property owners within the district. 1155

(G) Each nonprofit corporation governing a district under 1156
this chapter may do the following: 1157

(1) Exercise all powers of nonprofit corporations granted 1158
under Chapter 1702. of the Revised Code that do not conflict 1159
with this chapter; 1160

(2) Develop, adopt, revise, implement, and repeal plans 1161
for public improvements and public services for all or any part 1162
of the district; 1163

(3) Contract with any person, political subdivision as 1164
defined in section 2744.01 of the Revised Code, or state agency 1165
as defined in section 1.60 of the Revised Code to develop and 1166
implement plans for public improvements or public services 1167
within the district; 1168

(4) Contract and pay for insurance for the district and 1169
for directors, officers, agents, contractors, employees, or 1170
members of the district for any consequences of the 1171
implementation of any plan adopted by the district or any 1172
actions of the district. 1173

The board of directors of a special improvement district 1174
may, acting as agent and on behalf of a participating political 1175
subdivision, sell, transfer, lease, or convey any special energy 1176

improvement project owned by the participating political 1177
subdivision upon a determination by the legislative authority 1178
thereof that the project is not required to be owned exclusively 1179
by the participating political subdivision for its purposes, for 1180
uses determined by the legislative authority thereof as those 1181
that will promote the welfare of the people of such 1182
participating political subdivision; improve the quality of life 1183
and the general and economic well-being of the people of the 1184
participating political subdivision; better ensure the public 1185
health, safety, and welfare; protect water and other natural 1186
resources; provide for the conservation and preservation of 1187
natural and open areas and farmlands, including by making urban 1188
areas more desirable or suitable for development and 1189
revitalization; control, prevent, minimize, clean up, or mediate 1190
certain contamination of or pollution from lands in the state 1191
and water contamination or pollution; or provide for safe and 1192
natural areas and resources. The legislative authority of each 1193
participating political subdivision shall specify the 1194
consideration for such sale, transfer, lease, or conveyance and 1195
any other terms thereof. Any determinations made by a 1196
legislative authority of a participating political subdivision 1197
under this division shall be conclusive. 1198

Any sale, transfer, lease, or conveyance of a special 1199
energy improvement project by a participating political 1200
subdivision or the board of directors of the special improvement 1201
district may be made without advertising, receipt of bids, or 1202
other competitive bidding procedures applicable to the 1203
participating political subdivision or the special improvement 1204
district under Chapter 153. or 735. or section 1710.11 of the 1205
Revised Code or other representative provisions of the Revised 1206
Code. 1207

(H) The owner of real property that is part of a planned 1208
community or a condominium development is deemed to have signed 1209
the petitions required under division (E) of this section and 1210
division (B) of section 1710.06 of the Revised Code with respect 1211
to a special improvement district that is being created for the 1212
purpose of developing and implementing plans for shoreline 1213
improvement projects if the district and the projects have been 1214
approved through an alternative process prescribed by the 1215
bylaws, declarations, covenants, and restrictions governing the 1216
planned community or condominium development. Such an 1217
alternative process may consist of a vote of the owners 1218
association or unit owners association, the approval of a 1219
specified percentage of property owners, or any other procedure 1220
authorized by the bylaws, declarations, covenants, and 1221
restrictions governing the planned community or condominium 1222
development. 1223

As used in this division, "condominium development" and 1224
"unit owners association" have the same meanings as in section 1225
5311.01 of the Revised Code, and "planned community," "owners 1226
association," "bylaws," and "declaration" have the same meanings 1227
as in section 5312.01 of the Revised Code. 1228

Sec. 1907.15. (A) (1) In counties having more than one 1229
county court judge, subject to division (A) (2) of this section, 1230
the presiding judge of the county court may divide the county 1231
court district into areas of separate jurisdiction and may 1232
designate the location at which each judge shall hold court. 1233
Except in county court districts exceeding one hundred twenty 1234
thousand population, each area of separate jurisdiction shall be 1235
made up of one or more townships. In assigning areas of separate 1236
jurisdiction, the presiding judge shall make each area of 1237
separate jurisdiction as equal in population and case load to 1238

others in the district as is possible under existing conditions. 1239

Whenever the territory of a county court district is 1240
reduced by the territorial expansion of municipal court 1241
jurisdiction, the presiding judge may redetermine areas of 1242
separate jurisdiction and, if necessary, reassign areas so as to 1243
make each area of separate jurisdiction as equal in population 1244
and case load to others in the district as is possible under the 1245
altered conditions. 1246

In county court districts exceeding one hundred twenty 1247
thousand population, subject to division (A)(2) of this section, 1248
the presiding judge of the county court may assign more than one 1249
county court judge to an area of separate jurisdiction. In any 1250
county court district of that nature, subject to division (A)(2) 1251
of this section, the presiding judge from time to time may 1252
assign a judge from one area of separate jurisdiction to another 1253
area of separate jurisdiction and redetermine and reassign areas 1254
of separate jurisdiction. Upon that redetermination and 1255
reassignment, the presiding judge shall consider, in addition to 1256
population, the case load of each area of separate jurisdiction. 1257

(2) The presiding judge of the county court of Jefferson 1258
county shall determine areas of separate jurisdiction for the 1259
judges of the Jefferson county county court in the manner 1260
described in division (A)(1) of this section but subject to the 1261
provisions of this division governing the location in which each 1262
judge shall hold court. The judge of the Jefferson county county 1263
court whose term commences January 1, 1993, and that judge's 1264
successors, shall hold court in Wintersville or Cross Creek 1265
township. The judge of the Jefferson county county court whose 1266
term commences January 1, 1995, and that judge's successors, 1267
shall hold court in Dillonvale. The judge of the Jefferson 1268

county county court whose term commences January 2, 1995, and 1269
that judge's successors, shall hold court in Toronto. 1270

(3) In counties having only one county court judge, the 1271
area of jurisdiction shall consist of the entire county court 1272
district, and the county court judge, with the concurrence of 1273
the board of county commissioners, shall designate the location 1274
at which the judge shall hold court. 1275

(B) The jurisdiction of each county court judge shall be 1276
coextensive with the boundaries of the county court district. 1277

Sec. 2151.70. The judge, in a county maintaining a school, 1278
forestry camp, or other facility or facilities created under 1279
section 2151.65 of the Revised Code, shall appoint the 1280
superintendent of any such facility. In the case of a district 1281
facility created under such section, the board of trustees shall 1282
appoint the superintendent. A-Except as otherwise provided in 1283
section 3.061 of the Revised Code, a superintendent, before 1284
entering upon his official duties, shall give bond with 1285
sufficient surety to the judge or to the board, as the case may 1286
be, in such amount as may be fixed by the judge or the board, 1287
such bond being conditioned upon the full and faithful 1288
accounting of the funds and properties coming into his the 1289
superintendent's hands. 1290

Compensation of the superintendent and other necessary 1291
employees of a school, forestry camp, or other facility or 1292
facilities shall be fixed by the judge in the case of a county 1293
facility, or by the board of trustees in the case of a district 1294
facility. Such compensation and other expenses of maintaining 1295
the facility shall be paid in the manner prescribed in section 1296
2151.13 of the Revised Code in the case of a county facility, or 1297
in accordance with rules and regulations provided for in section 1298

2151.77 of the Revised Code in the case of a district facility. 1299

The superintendent of a facility shall appoint all 1300
employees of such facility. All such employees, except the 1301
superintendent, shall be in the classified civil service. 1302

The superintendent of a school, forestry camp, or other 1303
facility shall have entire executive charge of such facility, 1304
under supervision of the judge, in the case of a county 1305
facility, or under supervision of the board of trustees, in the 1306
case of a district facility. The superintendent shall control, 1307
manage, and operate the facility, and shall have custody of its 1308
property, files, and records. 1309

Sec. 2152.42. (A) Any detention facility established under 1310
section 2152.41 of the Revised Code shall be under the direction 1311
of a superintendent. The superintendent shall be appointed by, 1312
and under the direction of, the judge or judges or, for a 1313
district facility, the board of trustees of the facility. The 1314
superintendent serves at the pleasure of the juvenile court or, 1315
in a district detention facility, at the pleasure of the board 1316
of trustees. 1317

~~Before~~ Except as otherwise provided in section 3.061 of 1318
the Revised Code, before commencing work as superintendent, the 1319
person appointed shall obtain a bond, with sufficient surety, 1320
conditioned upon the full and faithful accounting of the funds 1321
and properties under the superintendent's control. 1322

The superintendent, under the supervision and subject to 1323
the rules and regulations of the board, shall control, manage, 1324
operate, and have general charge of the facility and shall have 1325
the custody of its property, files, and records. 1326

(B) For a county facility, the superintendent shall 1327

appoint all employees of the facility, who shall be in the 1328
unclassified civil service. The salaries shall be paid as 1329
provided by section 2151.13 of the Revised Code for other 1330
employees of the court, and the necessary expenses incurred in 1331
maintaining the facility shall be paid by the county. 1332

For a district facility, the superintendent shall appoint 1333
other employees of the facility and fix their compensation, 1334
subject to approval of the board of trustees. Employees of a 1335
district facility, except for the superintendent, shall be in 1336
the classified civil service. 1337

(C) During the school year, when possible, a comparable 1338
educational program with competent and trained staff shall be 1339
provided for children of school age who are in the facility. A 1340
sufficient number of trained recreational personnel shall be 1341
included among the staff. Medical and mental health services 1342
shall be made available. 1343

Sec. 3721.15. (A) Authorization from a resident or a 1344
sponsor with a power of attorney for a home to manage the 1345
resident's financial affairs shall be in writing and shall be 1346
attested to by a witness who is not connected in any manner 1347
whatsoever with the home or its administrator. The home shall 1348
maintain accounts pursuant to division (A)(27) of section 1349
3721.13 of the Revised Code. Upon the resident's transfer, 1350
discharge, or death, the account shall be closed and a final 1351
accounting made. All remaining funds shall be returned to the 1352
resident or resident's sponsor, except in the case of death, 1353
when all remaining funds shall be transferred or used in 1354
accordance with section 5162.22 of the Revised Code. 1355

(B) A home that manages a resident's financial affairs 1356
shall deposit the resident's funds in excess of one thousand 1357

dollars, and may deposit the resident's funds that are one 1358
thousand dollars or less, in an interest-bearing account 1359
separate from any of the home's operating accounts. Interest 1360
earned on the resident's funds shall be credited to the 1361
resident's account. A resident's funds that are one thousand 1362
dollars or less and have not been deposited in an interest- 1363
bearing account may be deposited in a noninterest-bearing 1364
account or petty cash fund. 1365

(C) Each resident whose financial affairs are managed by a 1366
home shall be promptly notified by the home when the total of 1367
the amount of funds in the resident's accounts and the petty 1368
cash fund plus other nonexempt resources reaches two hundred 1369
dollars less than the maximum amount permitted a recipient of 1370
medicaid. The notice shall include an explanation of the 1371
potential effect on the resident's eligibility for medicaid if 1372
the amount in the resident's accounts and the petty cash fund, 1373
plus the value of other nonexempt resources, exceeds the maximum 1374
assets a medicaid recipient may retain. 1375

(D) ~~Each~~ Except as otherwise provided in section 3.061 of 1376
the Revised Code, each home that manages the financial affairs 1377
of residents shall purchase a surety bond or otherwise provide 1378
assurance satisfactory to the director of health, or, in the 1379
case of a home that participates in the medicaid program, to the 1380
medicaid director, to assure the security of all residents' 1381
funds managed by the home. 1382

Sec. 4503.03. (A) (1) (a) Except as provided in division (B) 1383
of this section, the registrar of motor vehicles may designate 1384
one or more of the following persons to act as a deputy 1385
registrar in each county: 1386

(i) The county auditor in any county, subject to division 1387

(A) (1) (b) (i) of this section;	1388
(ii) The clerk of a court of common pleas in any county,	1389
subject to division (A) (1) (b) (ii) of this section;	1390
(iii) An individual;	1391
(iv) A nonprofit corporation as defined in division (C) of	1392
section 1702.01 of the Revised Code.	1393
(b) (i) If the population of a county is forty thousand or	1394
less according to the most recent federal decennial census and	1395
if the county auditor is designated by the registrar as a deputy	1396
registrar, no other person need be designated in the county to	1397
act as a deputy registrar.	1398
(ii) The registrar may designate a clerk of a court of	1399
common pleas as a deputy registrar if the population of the	1400
county is forty thousand or less according to the last federal	1401
census. In a county with a population greater than forty	1402
thousand but not more than fifty thousand according to the last	1403
federal census, the clerk of a court of common pleas is eligible	1404
to act as a deputy registrar and may participate in the	1405
competitive selection process for the award of a deputy	1406
registrar contract by applying in the same manner as any other	1407
person. All fees collected and retained by a clerk for	1408
conducting deputy registrar services shall be paid into the	1409
county treasury to the credit of the certificate of title	1410
administration fund created under section 325.33 of the Revised	1411
Code.	1412
Notwithstanding the county population restrictions in	1413
division (A) (1) (b) of this section, if no person applies to act	1414
under contract as a deputy registrar in a county and the county	1415
auditor is not designated as a deputy registrar, the registrar	1416

may ask the clerk of a court of common pleas to serve as the 1417
deputy registrar for that county. 1418

(c) As part of the selection process in awarding a deputy 1419
registrar contract, the registrar shall consider the customer 1420
service performance record of any person previously awarded a 1421
deputy registrar contract pursuant to division (A)(1) of this 1422
section. 1423

(2) Deputy registrars shall accept applications for the 1424
annual license tax for any vehicle not taxed under section 1425
4503.63 of the Revised Code and shall assign distinctive numbers 1426
in the same manner as the registrar. Such deputies shall be 1427
located in such locations in the county as the registrar sees 1428
fit. There shall be at least one deputy registrar in each 1429
county. 1430

Deputy registrar contracts are subject to the provisions 1431
of division (B) of section 125.081 of the Revised Code. 1432

(B)(1) The registrar shall not designate any person to act 1433
as a deputy registrar under division (A)(1) of this section if 1434
the person or, where applicable, the person's spouse or a member 1435
of the person's immediate family has made, within the current 1436
calendar year or any one of the previous three calendar years, 1437
one or more contributions totaling in excess of one hundred 1438
dollars to any person or entity included in division (A)(2) of 1439
section 4503.033 of the Revised Code. As used in this division, 1440
"immediate family" has the same meaning as in division (D) of 1441
section 102.01 of the Revised Code, and "entity" includes any 1442
political party and any "continuing association" as defined in 1443
division (C)(4) of section 3517.01 of the Revised Code or 1444
"political action committee" as defined in division (C)(8) of 1445
that section that is primarily associated with that political 1446

party. For purposes of this division, contributions to any 1447
continuing association or any political action committee that is 1448
primarily associated with a political party shall be aggregated 1449
with contributions to that political party. 1450

The contribution limitations contained in this division do 1451
not apply to any county auditor or clerk of a court of common 1452
pleas. A county auditor or clerk of a court of common pleas is 1453
not required to file the disclosure statement or pay the filing 1454
fee required under section 4503.033 of the Revised Code. The 1455
limitations of this division also do not apply to a deputy 1456
registrar who, subsequent to being awarded a deputy registrar 1457
contract, is elected to an office of a political subdivision. 1458

(2) The registrar shall not designate either of the 1459
following to act as a deputy registrar: 1460

(a) Any elected public official other than a county 1461
auditor or, as authorized by division (A) (1) (b) of this section, 1462
a clerk of a court of common pleas, acting in an official 1463
capacity, except that, the registrar shall continue and may 1464
renew a contract with any deputy registrar who, subsequent to 1465
being awarded a deputy registrar contract, is elected to an 1466
office of a political subdivision; 1467

(b) Any person holding a current, valid contract to 1468
conduct motor vehicle inspections under section 3704.14 of the 1469
Revised Code. 1470

(3) As used in division (B) of this section, "political 1471
subdivision" has the same meaning as in section 3501.01 of the 1472
Revised Code. 1473

(C) (1) Except as provided in division (C) (2) of this 1474
section, deputy registrars are independent contractors and 1475

neither they nor their employees are employees of this state, 1476
except that nothing in this section shall affect the status of 1477
county auditors or clerks of courts of common pleas as public 1478
officials, nor the status of their employees as employees of any 1479
of the counties of this state, which are political subdivisions 1480
of this state. Each deputy registrar shall be responsible for 1481
the payment of all unemployment compensation premiums, all 1482
workers' compensation premiums, social security contributions, 1483
and any and all taxes for which the deputy registrar is legally 1484
responsible. Each deputy registrar shall comply with all 1485
applicable federal, state, and local laws requiring the 1486
withholding of income taxes or other taxes from the compensation 1487
of the deputy registrar's employees. Each deputy registrar shall 1488
maintain during the entire term of the deputy registrar's 1489
contract a policy of business liability insurance satisfactory 1490
to the registrar and shall hold the department of public safety, 1491
the director of public safety, the bureau of motor vehicles, and 1492
the registrar harmless upon any and all claims for damages 1493
arising out of the operation of the deputy registrar agency. 1494

(2) For purposes of Chapter 4141. of the Revised Code, 1495
determinations concerning the employment of deputy registrars 1496
and their employees shall be made under Chapter 4141. of the 1497
Revised Code. 1498

(D) (1) With the approval of the director, the registrar 1499
shall adopt rules governing deputy registrars. The rules shall 1500
do all of the following: 1501

(a) Establish requirements governing the terms of the 1502
contract between the registrar and each deputy registrar and the 1503
services to be performed; 1504

(b) Establish requirements governing the amount of bond to 1505

be given as provided in this section; 1506

(c) Establish requirements governing the size and location 1507
of the deputy's office; 1508

(d) Establish requirements governing the leasing of 1509
equipment necessary to conduct the vision screenings required 1510
under section 4507.12 of the Revised Code and training in the 1511
use of the equipment; 1512

(e) Encourage every deputy registrar to inform the public 1513
of the location of the deputy registrar's office and hours of 1514
operation by means of public service announcements; 1515

(f) Allow any deputy registrar to advertise in regard to 1516
the operation of the deputy registrar's office, including 1517
allowing nonprofit corporations operating as a deputy registrar 1518
to advertise that a specified amount of proceeds collected by 1519
the nonprofit corporation are directed to a specified charitable 1520
organization or philanthropic cause; 1521

(g) Specify the hours the deputy's office is to be open to 1522
the public and require as a minimum that one deputy's office in 1523
each county be open to the public for at least four hours each 1524
weekend, provided that if only one deputy's office is located 1525
within the boundary of the county seat, that office is the 1526
office that shall be open for the four-hour period each weekend; 1527

(h) Specify that every deputy registrar, upon request, 1528
provide any person with information about the location and 1529
office hours of all deputy registrars in the county; 1530

(i) Allow a deputy registrar contract to be awarded to a 1531
nonprofit corporation formed under the laws of this state; 1532

(j) Except as provided in division (D) (2) of this section, 1533

prohibit any deputy registrar from operating more than one 1534
deputy registrar's office at any time; 1535

(k) For the duration of any deputy registrar contract, 1536
require that the deputy registrar occupy a primary residence in 1537
a location that is within a one-hour commute time from the 1538
deputy registrar's office or offices. The rules shall require 1539
the registrar to determine commute time by using multiple 1540
established internet-based mapping services. 1541

(l) Establish procedures for a deputy registrar to request 1542
the authority to collect reinstatement fees under sections 1543
4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 1544
4510.72, and 4511.191 of the Revised Code and to transmit the 1545
reinstatement fees and two dollars of the service fee collected 1546
under those sections. The registrar shall ensure that at least 1547
one deputy registrar in each county has the necessary equipment 1548
and is able to accept reinstatement fees. The registrar shall 1549
deposit the service fees received from a deputy registrar under 1550
those sections into the public safety - highway purposes fund 1551
created in section 4501.06 of the Revised Code and shall use the 1552
money for deputy registrar equipment necessary in connection 1553
with accepting reinstatement fees. 1554

(m) Establish standards for a deputy registrar, when the 1555
deputy registrar is not a county auditor or a clerk of a court 1556
of common pleas, to sell advertising rights to third party 1557
businesses to be placed in the deputy registrar's office; 1558

(n) Allow any deputy registrar that is not a county 1559
auditor or a clerk of a court of common pleas to operate a 1560
vending machine; 1561

(o) Establish such other requirements as the registrar and 1562

director consider necessary to provide a high level of service. 1563

(2) Notwithstanding division (D)(1)(j) of this section, 1564
the rules may allow both of the following: 1565

(a) The registrar to award a contract to a deputy 1566
registrar to operate more than one deputy registrar's office if 1567
determined by the registrar to be practical; 1568

(b) A nonprofit corporation formed for the purposes of 1569
providing automobile-related services to its members or the 1570
public and that provides such services from more than one 1571
location in this state to operate a deputy registrar office at 1572
any location. 1573

(3) As a daily adjustment, the bureau of motor vehicles 1574
shall credit to a deputy registrar the amount established under 1575
section 4503.038 of the Revised Code for each damaged license 1576
plate or validation sticker the deputy registrar replaces as a 1577
service to a member of the public. 1578

(4)(a) With the prior approval of the registrar, each 1579
deputy registrar may conduct at the location of the deputy 1580
registrar's office any business that is consistent with the 1581
functions of a deputy registrar and that is not specifically 1582
mandated or authorized by this or another chapter of the Revised 1583
Code or by implementing rules of the registrar. 1584

(b) In accordance with guidelines the director of public 1585
safety shall establish, a deputy registrar may operate or 1586
contract for the operation of a vending machine at a deputy 1587
registrar location if products of the vending machine are 1588
consistent with the functions of a deputy registrar. 1589

(c) A deputy registrar may enter into an agreement with 1590
the Ohio turnpike and infrastructure commission pursuant to 1591

division (A) (11) of section 5537.04 of the Revised Code for the 1592
purpose of allowing the general public to acquire from the 1593
deputy registrar the electronic toll collection devices that are 1594
used under the multi-jurisdiction electronic toll collection 1595
agreement between the Ohio turnpike and infrastructure 1596
commission and any other entities or agencies that participate 1597
in such an agreement. The approval of the registrar is not 1598
necessary if a deputy registrar engages in this activity. 1599

(5) As used in this section and in section 4507.01 of the 1600
Revised Code, "nonprofit corporation" has the same meaning as in 1601
section 1702.01 of the Revised Code. 1602

(E) (1) Unless otherwise terminated and except for interim 1603
contracts lasting not longer than one year, contracts with 1604
deputy registrars shall be entered into through a competitive 1605
selection process and shall be limited in duration as follows: 1606

(a) For contracts entered into between July 1, 1996 and 1607
June 29, 2014, for a period of not less than two years, but not 1608
more than three years; 1609

(b) For contracts entered into on or after June 29, 2014, 1610
for a period of five years, unless the registrar determines that 1611
a shorter contract term is appropriate for a particular deputy 1612
registrar. 1613

(2) All contracts with deputy registrars shall expire on 1614
the last Saturday of June in the year of their expiration. Prior 1615
to the expiration of any deputy registrar contract, the 1616
registrar, with the approval of the director, may award a one- 1617
year contract extension to any deputy registrar who has provided 1618
exemplary service based upon objective performance evaluations. 1619

(3) (a) The auditor of state may examine the accounts, 1620

reports, systems, and other data of each deputy registrar at 1621
least every two years. The registrar, with the approval of the 1622
director, shall immediately remove a deputy who violates any 1623
provision of the Revised Code related to the duties as a deputy, 1624
any rule adopted by the registrar, or a term of the deputy's 1625
contract with the registrar. The registrar also may remove a 1626
deputy who, in the opinion of the registrar, has engaged in any 1627
conduct that is either unbecoming to one representing this state 1628
or is inconsistent with the efficient operation of the deputy's 1629
office. 1630

(b) If the registrar, with the approval of the director, 1631
determines that there is good cause to believe that a deputy 1632
registrar or a person proposing for a deputy registrar contract 1633
has engaged in any conduct that would require the denial or 1634
termination of the deputy registrar contract, the registrar may 1635
require the production of books, records, and papers as the 1636
registrar determines are necessary, and may take the depositions 1637
of witnesses residing within or outside the state in the same 1638
manner as is prescribed by law for the taking of depositions in 1639
civil actions in the court of common pleas, and for that purpose 1640
the registrar may issue a subpoena for any witness or a subpoena 1641
duces tecum to compel the production of any books, records, or 1642
papers, directed to the sheriff of the county where the witness 1643
resides or is found. Such a subpoena shall be served and 1644
returned in the same manner as a subpoena in a criminal case is 1645
served and returned. The fees of the sheriff shall be the same 1646
as that allowed in the court of common pleas in criminal cases. 1647
Witnesses shall be paid the fees and mileage provided for under 1648
section 119.094 of the Revised Code. The fees and mileage shall 1649
be paid from the fund in the state treasury for the use of the 1650
agency in the same manner as other expenses of the agency are 1651

paid. 1652

In any case of disobedience or neglect of any subpoena 1653
served on any person or the refusal of any witness to testify to 1654
any matter regarding which the witness lawfully may be 1655
interrogated, the court of common pleas of any county where the 1656
disobedience, neglect, or refusal occurs or any judge of that 1657
court, on application by the registrar, shall compel obedience 1658
by attachment proceedings for contempt, as in the case of 1659
disobedience of the requirements of a subpoena issued from that 1660
court, or a refusal to testify in that court. 1661

(4) Nothing in division (E) of this section shall be 1662
construed to require a hearing of any nature prior to the 1663
termination of any deputy registrar contract by the registrar, 1664
with the approval of the director, for cause. 1665

(F) Except as provided in section 2743.03 of the Revised 1666
Code, no court, other than the court of common pleas of Franklin 1667
county, has jurisdiction of any action against the department of 1668
public safety, the director, the bureau, or the registrar to 1669
restrain the exercise of any power or authority, or to entertain 1670
any action for declaratory judgment, in the selection and 1671
appointment of, or contracting with, deputy registrars. Neither 1672
the department, the director, the bureau, nor the registrar is 1673
liable in any action at law for damages sustained by any person 1674
because of any acts of the department, the director, the bureau, 1675
or the registrar, or of any employee of the department or 1676
bureau, in the performance of official duties in the selection 1677
and appointment of, and contracting with, deputy registrars. 1678

(G) The registrar shall assign to each deputy registrar a 1679
series of numbers sufficient to supply the demand at all times 1680
in the area the deputy registrar serves, and the registrar shall 1681

keep a record in the registrar's office of the numbers within 1682
the series assigned. ~~Each~~ Except as otherwise provided in 1683
section 3.061 of the Revised Code, each deputy shall be required 1684
to give bond in the amount of at least twenty-five thousand 1685
dollars, or in such higher amount as the registrar determines 1686
necessary, based on a uniform schedule of bond amounts 1687
established by the registrar and determined by the volume of 1688
registrations handled by the deputy. The form of the bond shall 1689
be prescribed by the registrar. The bonds required of deputy 1690
registrars, in the discretion of the registrar, may be 1691
individual or schedule bonds or may be included in any blanket 1692
bond coverage carried by the department. 1693

(H) Each deputy registrar shall keep a file of each 1694
application received by the deputy and shall register that motor 1695
vehicle with the name and address of its owner. 1696

(I) Upon request, a deputy registrar shall make the 1697
physical inspection of a motor vehicle and issue the physical 1698
inspection certificate required in section 4505.061 of the 1699
Revised Code. 1700

(J) Each deputy registrar shall file a report semiannually 1701
with the registrar of motor vehicles listing the number of 1702
applicants for licenses the deputy has served, the number of 1703
voter registration applications the deputy has completed and 1704
transmitted to the board of elections, and the number of voter 1705
registration applications declined. 1706

Sec. 4765.43. (A) During each emergency run made by an 1707
ambulance that is equipped for emergency medical services, the 1708
emergency medical service organization operating the ambulance 1709
shall staff the ambulance in accordance with this section. 1710

For purposes of determining the applicable staffing requirements, both of the following apply:

(1) An emergency run consists of components that are distinguished between the period during which the ambulance is traveling to the scene of an emergency and, if applicable, the period during which the ambulance is transporting a patient from the scene of the emergency.

(2) In the case of an emergency medical service organization that utilizes a combination of volunteer and paid ~~first emergency medical responders~~, emergency medical ~~service technicians basic technicians~~, advanced emergency medical service technicians intermediate technicians, or ~~emergency medical service technicians paramedic~~ paramedics, the organization is considered to be substantially utilizing volunteers in a particular week when the paid individuals, taken as a whole, are scheduled for a total of not more than one hundred ninety-two hours in that week.

(B) With respect to the driver of an ambulance during an emergency run, both of the following apply:

(1) The driver must be at least eighteen years of age and hold a valid driver's license.

(2) The driver must meet at least one of the following criteria:

(a) Hold a valid certificate issued under section 4765.30 of the Revised Code to practice as ~~a medical first responder~~ an EMR, EMT, ~~advanced EMT~~ AEMT, or paramedic;

(b) Hold a valid fire training certificate issued pursuant to section 4765.55 of the Revised Code to provide services as a firefighter;

(c) Be employed and in good standing as a sworn sheriff, 1740
deputy sheriff, constable, police officer, marshal, deputy 1741
marshal, or highway patrol trooper in this state; 1742

(d) Have successfully completed either the emergency 1743
vehicle operations course approved by the national highway 1744
traffic safety administration or an equivalent course approved 1745
by the state board of emergency medical, fire, and 1746
transportation services. 1747

(C) With respect to the component of an emergency run 1748
during which the ambulance is traveling to the scene of the 1749
emergency, the ambulance shall be staffed by at least one of the 1750
following: 1751

(1) An EMT; 1752

~~advanced EMT, or~~ (2) An AEMT; 1753

(3) A paramedic; 1754

(4) Any other person authorized to drive an ambulance in 1755
accordance with division (B) of this section, without an EMT, 1756
AEMT, or paramedic, provided that the driver meets an EMT, AEMT, 1757
or paramedic at the scene of the emergency. ~~This individual may~~ 1758
serve as the driver. 1759

(D) With respect to the component of an emergency run 1760
during which a patient is being transported, the ambulance shall 1761
be staffed as follows: 1762

(1) If the emergency medical service organization utilizes 1763
only paid individuals or utilizes volunteers on a basis that is 1764
not considered to be substantially utilizing volunteers, the 1765
ambulance shall be staffed by at least two EMTs, ~~advanced EMTs~~ 1766
AEMTs, or paramedics. One of these individuals may serve as the 1767

driver. 1768

(2) If the emergency medical service organization is 1769
substantially utilizing volunteers or utilizes only volunteers, 1770
the ambulance shall be staffed by at least two EMTs, ~~advanced-~~ 1771
~~EMTs-AEMTs~~, or paramedics or by at least one ~~first responder-EMR~~ 1772
and one EMT, ~~advanced EMT-AEMT~~, or paramedic. One of these 1773
individuals may serve as the driver, but if the staffing 1774
requirement is being met by utilizing ~~a medical first responder-~~ 1775
an EMR, the medical first responder-EMR shall serve as the 1776
driver. However, if the driver to the scene of the emergency was 1777
an individual authorized under division (C) (4) of this section 1778
who is not an EMR, that individual shall serve as the driver. 1779

(E) As used in this section: 1780

(1) "Emergency medical responder" and "EMR" have the same 1781
meanings as "first responder." 1782

(2) "Emergency medical technician" and "EMT" have the same 1783
meanings as "emergency medical technician-basic" and "EMT- 1784
basic," respectively. 1785

(3) "Advanced emergency medical technician" and "AEMT" 1786
have the same meanings as "emergency medical technician- 1787
intermediate" and "EMT-I," respectively. 1788

Sec. 5153.13. ~~Before~~ Except as otherwise provided in 1789
section 3.061 of the Revised Code, before entering upon official 1790
duties, the executive director shall give a bond to the county 1791
in such sum as is fixed by the public children services agency, 1792
with sufficient surety, conditioned upon the faithful 1793
performance of official duties and the full and faithful 1794
accounting of all funds and properties of the agency or county 1795
coming into the executive director's hands. ~~Before~~ Except as 1796

otherwise provided in section 3.061 of the Revised Code, before 1797
entering upon such duties, the executive director shall give a 1798
bond to the probate court, with sufficient surety, conditioned 1799
upon the full and faithful accounting of all trust funds which 1800
the executive director holds on behalf of wards. The amount of 1801
such bond shall be determined by the court and may be modified 1802
by the court, provided that the minimum amount of the bond shall 1803
be five thousand dollars. 1804

The agency may require any other employee thereof, 1805
including the superintendent of the children's home, having 1806
custody or control of funds or property, to give bond to the 1807
county, except as otherwise provided in section 3.061 of the 1808
Revised Code, in such sum as the board determines, with 1809
sufficient surety, conditioned upon the faithful performance of 1810
the duties of such employee and the full and faithful accounting 1811
of any funds and properties coming into the employee's hands. 1812
The cost of such bonds shall be paid by the agency. 1813

Sec. 5705.25. (A) (1) A copy of any resolution adopted as 1814
provided in section 5705.19 or 5705.2111 of the Revised Code 1815
shall be certified by the taxing authority to the board of 1816
elections of the proper county not less than ninety days before 1817
the general election in any year, and the board shall submit the 1818
proposal to the electors of the subdivision at the succeeding 1819
November election. In the case of a qualifying library levy, the 1820
board shall submit the question to the electors of the library 1821
district or association library district. ~~Except~~ 1822

(2) Except as otherwise provided in this division, a 1823
resolution to renew or to renew and increase or renew and 1824
decrease an existing levy, regardless of the section of the 1825
Revised Code under which the tax was imposed, shall not be 1826

placed on the ballot unless the question is submitted at the 1827
general election held during the last year the tax to be renewed 1828
may be extended on the real and public utility property tax list 1829
and duplicate, or at any election held in the ensuing year. The 1830
limitation of the foregoing sentence does not apply to a 1831
resolution to renew and increase or to renew ~~part of and~~ 1832
decrease an existing levy that was imposed under section 1833
5705.191 of the Revised Code to supplement the general fund for 1834
the purpose of making appropriations for one or more of the 1835
following purposes: for public assistance, human or social 1836
services, relief, welfare, hospitalization, health, and support 1837
of general hospitals. The limitation of the second preceding 1838
sentence also does not apply to a resolution that proposes to 1839
renew two or more existing levies imposed under section 5705.222 1840
or division (L) of section 5705.19 of the Revised Code, or under 1841
section 5705.21 or 5705.217 of the Revised Code, in which case 1842
the question shall be submitted on the date of the general or 1843
primary election held during the last year at least one of the 1844
levies to be renewed may be extended on the real and public 1845
utility property tax list and duplicate, or at any election held 1846
during the ensuing year. A resolution proposing to renew or 1847
renew and increase or decrease an existing levy may specify that 1848
the renewal, increase, or decrease of the existing levy shall be 1849
extended on the tax list for the tax year specified in the 1850
resolution, which may be the last year the existing levy may be 1851
extended on the list or the ensuing year. If the renewal, 1852
increase, or decrease is to be extended on the tax list for the 1853
last tax year the existing levy would otherwise be extended, the 1854
existing levy shall not be extended on the tax list for that 1855
last year unless the question of the renewal, increase, or 1856
decrease is not approved by a majority of electors voting on the 1857
question, in which case the existing levy shall be extended on 1858

the tax list for that last year. 1859

For purposes of this section, a levy shall be considered 1860
to be an "existing levy" through the year following the last 1861
year it can be placed on ~~that~~ the tax list and duplicate. 1862

(3) The board of elections shall make the necessary 1863
arrangements for the submission of such questions to the 1864
electors of such subdivision, library district, or association 1865
library district, and the election shall be conducted, 1866
canvassed, and certified in the same manner as regular elections 1867
in such subdivision, library district, or association library 1868
district for the election of county officers. Notice of the 1869
election shall be published in a newspaper of general 1870
circulation in the subdivision, library district, or association 1871
library district once a week for two consecutive weeks, or as 1872
provided in section 7.16 of the Revised Code, prior to the 1873
election. If the board of elections operates and maintains a web 1874
site, the board of elections shall post notice of the election 1875
on its web site for thirty days prior to the election. The 1876
notice shall state the purpose, the proposed increase in rate 1877
expressed in dollars and cents for each one hundred dollars of 1878
valuation as well as in mills for each one dollar of valuation, 1879
the number of years during which the increase will be in effect, 1880
the first month and year in which the tax will be levied, and 1881
the time and place of the election. 1882

(B) The form of the ballots cast at an election held 1883
pursuant to division (A) of this section shall be as follows: 1884

"An additional tax for the benefit of (name of subdivision 1885
or public library) _____ for the purpose of (purpose stated 1886
in the resolution) _____ at a rate not exceeding _____ 1887
mills for each one dollar of valuation, which amounts to (rate 1888

expressed in dollars and cents) _____ for each one 1889
hundred dollars of valuation, for _____ (life of indebtedness 1890
or number of years the levy is to run). 1891

1892

	For the Tax Levy
	Against the Tax Levy

"

(C) If the levy is to be in effect for a continuing period 1893
of time, the notice of election and the form of ballot shall so 1894
state instead of setting forth a specified number of years for 1895
the levy. 1896

If the additional tax or the renewal, increase, or 1897
decrease of an existing levy is to be placed on the current tax 1898
list, the form of the ballot shall be modified by adding, after 1899
the statement of the number of years the levy is to run, the 1900
phrase ", commencing in _____ (first year the tax is to be 1901
levied), first due in calendar year _____ (first calendar 1902
year in which the tax shall be due)." 1903

If the levy submitted is a proposal to renew, increase, or 1904
decrease an existing levy, the form of the ballot specified in 1905
division (B) of this section may be changed by substituting for 1906
the words "An additional" at the beginning of the form, the 1907
words "A renewal of a" in case of a proposal to renew an 1908
existing levy in the same amount; the words "A renewal of 1909
_____ mills and an increase of _____ mills to constitute a" 1910
in the case of an increase; or the words "A renewal of part of 1911
an existing levy, being a reduction of _____ mills, to 1912
constitute a" in the case of a decrease in the proposed levy. 1913

If the levy submitted is a proposal to renew two or more existing levies imposed under section 5705.222 or division (L) of section 5705.19 of the Revised Code, or under section 5705.21 or 5705.217 of the Revised Code, the form of the ballot specified in division (B) of this section shall be modified by substituting for the words "an additional tax" the words "a renewal of ____ (insert the number of levies to be renewed) existing taxes."

If the levy submitted is a levy under section 5705.72 of the Revised Code or a proposal to renew, increase, or decrease an existing levy imposed under that section, the name of the subdivision shall be "the unincorporated area of _____ (name of township)."

The question covered by ~~such a resolution~~ adopted under this section shall be submitted as a separate proposition but may be printed on the same ballot with any other proposition submitted at the same election, other than the election of officers. More than one such question may be submitted at the same election.

(D) A levy voted in excess of the ten-mill limitation under this section shall be certified to the tax commissioner. In the first year of the levy, it shall be extended on the tax lists after the February settlement succeeding the election. If the additional tax is to be placed upon the tax list of the current year, as specified in the resolution providing for its submission, the result of the election shall be certified immediately after the canvass by the board of elections to the taxing authority, who shall make the necessary levy and certify it to the county auditor, who shall extend it on the tax lists for collection. After the first year, the tax levy shall be

included in the annual tax budget that is certified to the 1944
county budget commission. 1945

Section 2. That existing sections 3.061, 3.30, 9.65, 1946
165.01, 165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 517.27, 1947
715.82, 742.33, 742.34, 1545.05, 1710.02, 1907.15, 2151.70, 1948
2152.42, 3721.15, 4503.03, 4765.43, 5153.13, and 5705.25 of the 1949
Revised Code are hereby repealed. 1950

Section 3. The amendment by this act of section 5705.25 of 1951
the Revised Code applies to property tax questions considered at 1952
any election held on or after the one hundredth day after the 1953
effective date of this section. 1954

Section 4. As used in this section, "qualified property" 1955
means property that (A) is owned by a township, (B) was conveyed 1956
to the township by a state university, as that term is defined 1957
in section 3345.011 of the Revised Code, and (C) satisfies the 1958
qualifications for tax exemption under the Revised Code. 1959
Notwithstanding section 5713.081 of the Revised Code, when 1960
qualified property has not received tax exemption due to a 1961
failure to qualify for the exemption authorized under section 1962
3345.17 of the Revised Code for any prior tax year, the township 1963
that owns the property, at any time on or before twelve months 1964
after the effective date of this section, may file with the Tax 1965
Commissioner an application requesting that the property be 1966
placed on the tax-exempt list and that unpaid taxes, penalties, 1967
and interest charged and payable on the property after December 1968
31, 2014, be abated. The application shall be made on the form 1969
prescribed by the Tax Commissioner under section 5715.27 of the 1970
Revised Code and shall list the name of the county in which the 1971
property is located; the property's parcel number or legal 1972
description; its assessed value; the amount in dollars of the 1973

unpaid taxes, penalties, and interest charged and payable after 1974
December 31, 2014; and any other information required by the Tax 1975
Commissioner. The county auditor shall supply the required 1976
information upon request of the applicant or Tax Commissioner. 1977
The application also shall state the section of the Revised Code 1978
authorizing exemption for the property. After receiving and 1979
considering the application, the Commissioner shall determine if 1980
the applicant meets the qualifications set forth in this 1981
section. If so, notwithstanding section 5713.081 of the Revised 1982
Code, the Commissioner shall issue an order directing that the 1983
property be placed on the tax exempt list of the county and that 1984
unpaid taxes, penalties, and interest charged and payable on the 1985
property after December 31, 2014, be abated. If the Commissioner 1986
finds that the property is not now being used for an exempt 1987
purpose or is otherwise ineligible for abatement of taxes, 1988
penalties, and interest under this section, the Commissioner 1989
shall issue an order denying the application. If the 1990
Commissioner finds that the property is not entitled to tax 1991
exemption and the abatement of unpaid taxes, penalties, and 1992
interest, the Commissioner shall order the county treasurer of 1993
the county in which the property is located to collect all 1994
taxes, penalties, and interest due on the property in accordance 1995
with law. The Commissioner may apply this section to any 1996
qualified property that is the subject of an application for 1997
exemption pending before the Commissioner on the effective date 1998
of this section without requiring the property owner to file an 1999
additional application. 2000