

As Reported by the House State and Local Government Committee

133rd General Assembly

Regular Session

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Sub. H. B. No. 444

Representatives Baldridge, 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**

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, 2151.70, 2152.42, 3721.15, 4503.03, 4
4765.43, 5153.13, and 5705.25 of the Revised 5
Code to make various changes to township law. 6

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

Section 1. That sections 3.061, 3.30, 9.65, 165.01, 7
165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 517.27, 715.82, 8
742.33, 742.34, 1545.05, 1710.02, 2151.70, 2152.42, 3721.15, 9
4503.03, 4765.43, 5153.13, and 5705.25 of the Revised Code be 10
amended to read as follows: 11

Sec. 3.061. (A) As used in this section: 12

(1) "Political subdivision" means a county, township, 13
municipal corporation, school district, community school, ~~or a~~ 14
park district created under Chapter 1545. of the Revised Code, 15
library or library district specified in section 3375.32 of the 16

Revised Code, juvenile facility district created under section 17
2151.65 of the Revised Code, or detention facility district 18
created under section 2152.41 of the Revised Code. 19

(2) "Employee dishonesty and faithful performance of duty 20
policy" means a policy of insurance, or a coverage document 21
issued by a joint self-insurance pool authorized under section 22
2744.081 of the Revised Code, to protect ~~a political subdivision~~ 23
~~from financial or property loss caused by the fraudulent or~~ 24
~~dishonest actions of, and the failure to perform a duty~~ 25
~~prescribed by law for, an officer, employee, or appointee that~~ 26
~~is otherwise required by law to give an individual surety bond~~ 27
~~before entering upon the discharge of official duties against~~ 28
losses that would otherwise be protected against under a surety 29
bond and to protect against other losses as determined by the 30
political subdivision. 31

(B) A political subdivision may adopt a policy, by 32
ordinance or resolution, to allow for the use of an employee 33
dishonesty and faithful performance of duty policy, rather than 34
a surety bond, ~~to cover losses caused by the fraudulent or~~ 35
~~dishonest actions of, and the failure to perform a duty~~ 36
~~prescribed by law for, officers, employees, or appointees that~~ 37
would otherwise be required ~~to~~ by law to be given by any of the 38
following: 39

(1) The political subdivision; 40

(2) An officer, employee, or appointee of the political 41
subdivision; 42

(3) Any other entity or individual, if the entity or 43
individual is required by law to give a surety bond to the 44
political subdivision. 45

The employee dishonesty and faithful performance of duty 46
policy also may cover any other entity or individual as 47
determined by the political subdivision. 48

(C)(1) Any officer, employee, or appointee otherwise 49
required by law to give an individual surety bond to qualify for 50
the office or employment before entering upon the discharge of 51
duties imposed by the office or employment. ~~The shall, before~~ 52
~~entering upon the discharge of duties imposed by the office or~~ 53
~~employment, either give the individual surety bond or be covered~~ 54
~~under an employee dishonesty and faithful performance of duty~~ 55
~~policy shall be that is in effect and apply becomes applicable~~ 56
~~to the officer, employee, or appointee before upon the beginning~~ 57
~~of the individual's term of office or employment and the~~ 58
~~officer, employee, or appointee shall not commence the discharge~~ 59
~~of duties until coverage is documented as required by the~~ 60
~~legislative authority. A lack of coverage on the date on which~~ 61
~~the discharge of duties are commenced by the individual shall~~ 62
~~render the office vacant and it shall be filled as required by~~ 63
~~law.~~ 64

~~(C)(2) Any officer, employee, or appointee otherwise~~ 65
~~required by law to maintain an individual surety bond to~~ 66
~~continue being entitled to discharge the duties of the office or~~ 67
~~employment may, during the individual's term or employment,~~ 68
~~become covered under an employee dishonesty and faithful~~ 69
~~performance of duty policy.~~ 70

(D) For a political subdivision that has adopted a policy 71
as authorized under this section, all of the following apply: 72

(1) An officer, employee, or appointee otherwise required 73
by law to give an individual surety bond shall not commence or 74
continue the discharge of duties until coverage is documented as 75

required by the legislative authority. A lack of coverage on the 76
date on which the discharge of duties are commenced or continued 77
by the individual shall render the office vacant and it shall be 78
filled as required by law. 79

(2) Notwithstanding any section of the Revised Code 80
requiring an officer, employee, or appointee of a political 81
subdivision to give bond before being entitled to enter upon the 82
duties of the office or employment, an officer, employee, or 83
appointee shall be considered qualified to hold the office or 84
employment, without giving bond, on the date the oath of office 85
is taken, certified, and filed as required by law. 86

~~(2)~~ (3) Notwithstanding any section of the Revised Code 87
requiring an officer, employee, or appointee of a political 88
subdivision to maintain bond to continue being entitled to 89
discharge the duties of the office or employment, an officer, 90
employee, or appointee who becomes covered under an employee 91
dishonesty and faithful performance of duty policy during the 92
individual's term or employment and who remains covered under 93
the employee dishonesty and faithful performance of duty policy 94
for the duration of the individual's term or employment shall be 95
considered qualified to hold the office or employment, without 96
maintaining bond for the duration of the individual's term or 97
employment as required by law. 98

(4) Notwithstanding section 3.30 or any other section of 99
the Revised Code that provides an office or employment is 100
vacated upon the failure to file bond, the officer, employee, or 101
appointee shall be entitled to enter upon the duties of the 102
office or employment when the policy is in effect as provided in 103
division (B) of this section and the oath is filed as provided 104
in division ~~(C)~~ ~~(1)~~ (D) (2) of this section. 105

~~(3)~~ (5) All officers, employees, or appointees who would 106
otherwise be required to file a bond before commencing the 107
discharge of duties shall be covered by and are subject to the 108
employee dishonesty and faithful performance of duty policy 109
instead of a surety bond requirement. 110

~~(4)~~ (6) The coverage amount for an officer, employee, or 111
appointee under an employee dishonesty and faithful performance 112
of duty policy shall be equal to or greater than the maximum 113
amount of the bond otherwise required by law. If no amount, or 114
only a minimum amount, of coverage is specified in law for the 115
particular officer, employee, or appointee, the amount of 116
coverage shall be an amount agreed upon by the legislative 117
authority or the authority otherwise designated by law to 118
determine the amount of the bond. 119

~~(D)~~ (E) A political subdivision that does not adopt a 120
policy under this section shall continue to use the surety bonds 121
as otherwise provided in the Revised Code. 122

~~(E)~~ (F) Nothing in this section relieves an officer, 123
employee, or appointee of other applicable requirements to hold 124
the office or employment. 125

Sec. 3.30. Except as otherwise provided in section 3.061 126
of the Revised Code, a person elected or appointed to an office 127
who is required by law to give a bond or security previous to 128
the performance of the duties imposed on the person by the 129
person's office, who refuses or neglects to give such bond or 130
furnish such security within the time and in the manner 131
prescribed by law, and in all respects to qualify self for the 132
performance of such duties, is deemed to have refused to accept 133
the office to which the person was elected or appointed. Such 134
office shall be considered vacant and shall be filled as 135

provided by law. 136

A person subject to a policy adopted under section 3.061 137
of the Revised Code, when the policy is in effect and becomes 138
applicable to the person upon the beginning of the person's term 139
of office or employment, is deemed to have refused to accept the 140
office or employment when the person fails to take, certify, and 141
file the oath of office as required by law or fails to document 142
proof of insurance coverage as provided in division ~~(B)~~ (D) of 143
section 3.061 of the Revised Code and the office shall be 144
considered vacant and shall be filled as provided by law. 145

A person who becomes subject to a policy adopted under 146
section 3.061 of the Revised Code during the person's term of 147
office or employment is deemed to have vacated the office when 148
the person fails to document proof of insurance coverage as 149
provided in division (D) of section 3.061 of the Revised Code 150
and the vacancy shall be filled as provided by law. 151

Sec. 9.65. (A) A board of township trustees, a board of 152
fire district trustees of a joint fire district, or the 153
legislative authority of a municipal corporation may establish, 154
by resolution or ordinance, as appropriate, an annuity program 155
for the volunteer fire fighters serving the political 156
subdivision, including those affiliated with a private entity 157
that provides fire-fighting or emergency medical services. The 158
program may permit the board or the legislative authority to 159
contract for, purchase, or otherwise procure from an insurer or 160
insurers licensed to do business by this state an annuity for 161
such fire fighters. The program may also permit the board or the 162
legislative authority at any time to cancel or otherwise 163
terminate an annuity with any particular insurer or insurers. 164
The board or the legislative authority may pay all or any 165

portion of the cost, premium, or charge of the annuity. The 166
board or the legislative authority may create a fund in the 167
treasury of the township, the joint fire district, or the 168
municipal corporation, as appropriate, for the annuity program. 169
The resolution or ordinance creating the program shall include a 170
plan to assure the proper administration and operation of the 171
program. The plan shall include, but not be limited to, all of 172
the following: 173

(1) The requirements a person must meet in order to be 174
eligible to participate in the program; 175

(2) The requirements an eligible person must meet annually 176
in order to participate in the program; 177

(3) A requirement that an audit of the accounts, financial 178
reports, records, and files pertaining to the program be 179
performed in the same manner and with the same frequency that an 180
audit of a public office is performed under section 117.11 of 181
the Revised Code. The audit required under division (A) (3) of 182
this section shall be in addition to and separate from any audit 183
of a township, joint fire district, or municipal corporation 184
required under section 117.11 of the Revised Code but may be 185
performed at the same time as such an audit. 186

(4) Provisions for termination of the program. 187

(B) A political subdivision that has established an 188
annuity program under division (A) of this section may 189
appropriate general revenue fund moneys of the political 190
subdivision not appropriated for any other purpose to the 191
annuity program and may use moneys raised under section 505.37, 192
505.371, or 505.39 or under division (I) ~~or~~ (U), or (JJ) of 193
section 5705.19 of the Revised Code for the annuity program. 194

Income from the investment of moneys in any fund established in 195
the treasury of a political subdivision for the annuity program 196
shall be paid into the annuity fund. 197

(C) As used in this section: 198

(1) "Volunteer fire fighter" means a person who performs 199
service as a fire fighter, or who performs emergency medical 200
service, on a less than full-time basis for a political 201
subdivision. 202

(2) "Political subdivision" means a municipal corporation, 203
a township, a township fire district, or a joint fire district. 204

Sec. 165.01. As used in this chapter: 205

~~(A) "Agency" means a community improvement corporation 206
organized under Chapter 1724. of the Revised Code and 207
designated, pursuant to section 1724.10 of the Revised Code, as 208
the agency of a municipal corporation or county. 209~~

~~(B) "Bonds" means bonds, notes, or other forms of 210
evidences of obligation issued in temporary or definitive form, 211
including notes issued in anticipation of the issuance of bonds 212
and renewal notes. The funding of bond anticipation notes with 213
bonds or renewal notes and the exchange of definitive bonds for 214
temporary bonds are not subject to section 165.07 of the Revised 215
Code. 216~~

~~(C) "Bond proceedings" means the resolution or ordinance 217
or the trust agreement or indenture of mortgage, or combination 218
thereof, authorizing or providing for the terms and conditions 219
applicable to bonds issued under authority of this chapter. 220~~

~~(D) "Issuer" means the state, or a county, township, or 221
municipal corporation of this the state ~~which county or~~ 222~~

~~municipal corporation has, pursuant to section 1724.10 of the~~ 223
~~Revised Code, designated a community improvement corporation as~~ 224
~~its agency for industrial, commercial, distribution, and~~ 225
~~research development and for which a plan has been prepared by~~ 226
~~such community improvement corporation and confirmed by its~~ 227
~~issuing authority.~~ 228

~~(E)~~ "Issuing authority" means in the case of the state, 229
the director of development services; in the case of a municipal 230
corporation, the legislative authority thereof; in the case of a 231
township, the board of township trustees; and in the case of a 232
county, the board of county commissioners or whatever officers, 233
board, commission, council, or other body might succeed to the 234
legislative powers of the commissioners. 235

~~(F)~~ "Plan" means a plan prepared by the agency pursuant to 236
~~section 1724.10 of the Revised Code, and confirmed by the~~ 237
~~issuing authority of a municipal corporation or county.~~ 238

~~(G)~~ "Pledged facilities" means the project or projects 239
mortgaged or the rentals, revenues, and other income, charges, 240
and moneys from which are pledged, or both, for the payment of 241
the principal of and interest on the bonds issued under 242
authority of section 165.03 of the Revised Code, and includes a 243
project for which a loan has been made under authority of this 244
chapter, in which case, references in this chapter to revenues 245
of such pledged facilities or from the disposition thereof 246
includes payments made or to be made to or for the account of 247
the issuer pursuant to such loan. 248

~~(H)~~ "Project" means real or personal property, or both, 249
including undivided and other interests therein, acquired by 250
gift or purchase, constructed, reconstructed, enlarged, 251
improved, furnished, or equipped, or any combination thereof, by 252

an issuer, or by others in whole or in part from the proceeds of 253
a loan made by an issuer, for industry, commerce, distribution, 254
or research and located within the boundaries of the issuer. 255
"Project" includes sanitary facilities, drainage facilities, and 256
prevention or replacement facilities as defined in section 257
6117.01 of the Revised Code. A project as defined in this 258
division is hereby determined to qualify as facilities described 259
in Section 13 of Article VIII, Ohio Constitution. 260

~~(I)~~—"Revenues" means the rentals, revenues, payments, 261
repayments, income, charges, and moneys derived or to be derived 262
from the use, lease, sublease, rental, sale, including 263
installment sale or conditional sale, or other disposition of 264
pledged facilities, or derived or to be derived pursuant to a 265
loan made for a project, bond proceeds to the extent provided in 266
the bond proceedings for the payment of principal of, or 267
premium, if any, or interest on the bonds, proceeds from any 268
insurance, condemnation or guaranty pertaining to pledged 269
facilities or the financing thereof, and income and profit from 270
the investment of the proceeds of bonds or of any revenues. 271

~~(J)~~—"Security interest" means a mortgage, lien, or other 272
encumbrance on, or pledge or assignment of, or other security 273
interest with respect to all or any part of pledged facilities, 274
revenues, reserve funds, or other funds established under the 275
bond proceedings, or on, of, or with respect to, a lease, 276
sublease, sale, conditional sale or installment sale agreement, 277
loan agreement, or any other agreement pertaining to the lease, 278
sublease, sale, or other disposition of a project or pertaining 279
to a loan made for a project, or any guaranty or insurance 280
agreement made with respect thereto, or any interest of the 281
issuer therein, or any other interest granted, assigned, or 282
released to secure payments of the principal of, premium, if 283

any, or interest on any bonds or to secure any other payments to 284
be made by an issuer under the bond proceedings. Any security 285
interest under this chapter may be prior or subordinate to or on 286
a parity with any other mortgage, lien, encumbrance, pledge, 287
assignment, or other security interest. 288

Sec. 165.03. (A) An issuer may issue bonds for the purpose 289
of providing moneys to acquire by purchase, construct, 290
reconstruct, enlarge, improve, furnish, or equip one or more 291
projects or parts thereof, or for any combination of such 292
purposes, including providing moneys to make loans to others for 293
such purposes. The issuing authority shall provide by resolution 294
or ordinance for the issuance of such bonds. The bond 295
proceedings may contain determinations by the issuing authority 296
that the project to be financed thereunder is a project as 297
defined in this chapter and is consistent with the purposes of 298
Section 13 of Article VIII, Ohio Constitution, and such 299
determinations shall be conclusive as to the validity and 300
enforceability of the bonds issued under such bond proceedings 301
and of such bond proceedings and security interests given and 302
leases, subleases, sale agreements, loan agreements, and other 303
agreements made in connection therewith, all in accordance with 304
their terms. 305

The principal of and interest on the bonds and all other 306
payments required to be made by the bond proceedings shall be 307
payable solely from the revenues and secured by security 308
interests as provided in such bond proceedings. Bond 309
anticipation notes may be secured, solely or additionally, by a 310
covenant of the issuer that it will do all things necessary for 311
the issuance of the bonds anticipated or renewal notes in 312
appropriate amount and either exchange such bonds or renewal 313
notes for such notes or apply the proceeds therefrom to the 314

extent necessary to make full payment of the principal of and 315
interest on such notes. The bond proceedings shall not obligate 316
or pledge moneys raised by taxation. 317

Bonds may be issued at one time or from time to time, 318
shall be dated, shall mature at such time or times not exceeding 319
thirty years from date of issue, and may be redeemable before 320
maturity at such price or prices and under such terms and 321
conditions, all as provided in the bond proceedings. The bonds 322
shall bear interest at such rate or rates, or at a variable rate 323
or rates changing from time to time in accordance with a base or 324
formula, as provided in or authorized by the bond proceedings. 325
The issuing authority shall determine the form of the bonds, fix 326
their denominations and method of execution, and establish 327
within or without the state a place or places for the payment of 328
principal or interest. 329

(B) The issuing authority may provide for sales of bonds 330
at public or private sale as it deems most advantageous and for 331
such prices, whether above or below the par value thereof, as it 332
determines or within such limit or limits as it determines. 333

~~(C) If the issuer is a county or municipal corporation,~~ 334
~~then, prior to the delivery of bonds issued under authority of~~ 335
~~this section, the issuing authority shall first have received~~ 336
~~from its agency a certification that a project to be financed by~~ 337
~~the issuance of such bonds is in accordance with the plan,~~ 338
~~except that no such certification is necessary if the project is~~ 339
~~a sanitary facility, drainage facility, or prevention or~~ 340
~~replacement facility as defined in section 6117.01 of the~~ 341
~~Revised Code. If the state is the issuer, then prior to before~~ 342
the authorization of the bonds, the issuing authority of the 343
state shall have received a written request for the issuance of 344

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

(D) If the issuer is a county, township, or municipal 362
corporation, then, ~~prior to~~ before the delivery of bonds issued 363
under authority of this section, the issuing authority shall 364
have caused a written notice to have been mailed by certified 365
mail to the director of ~~the department of development~~ services 366
of the state advising such director of the proposed delivery of 367
the bonds, the amount thereof, the proposed lessee, and a 368
general description of the project or projects to be financed. 369

(E) In case any officer who has signed any bonds or 370
coupons pertaining thereto, or caused the officer's facsimile 371
signature to be affixed thereto, ceases to be such officer 372
before such bonds or coupons have been delivered, such bonds or 373
coupons may, nevertheless, be issued and delivered as though the 374
person who had signed the bonds or coupons or caused the 375

person's facsimile signature to be affixed thereto had not 376
ceased to be such officer. Any bonds or coupons may be executed 377
on behalf of the issuer by an officer who, on the date of 378
execution, is the proper officer although on the date of such 379
bonds or coupons such person was not the proper officer. 380

(F) All bonds issued under authority of this chapter, 381
regardless of form or terms and regardless of any other law to 382
the contrary, shall have all qualities and incidents of 383
negotiable instruments, subject to provisions for registration, 384
and may be issued in coupon, fully registered, or other form, or 385
any combination thereof, as the issuing authority determines. 386
Provision may be made for the registration of any coupon bonds 387
as to principal alone or as to both principal and interest, and 388
for the conversion into coupon bonds of any fully registered 389
bonds or bonds registered as to both principal and interest. 390

Sec. 503.07. (A) When the limits of a municipal 391
corporation do not comprise the whole of the township in which 392
it is situated, or if by change of limits of ~~such the~~ 393
corporation include territory lying in more than one township, 394
the legislative authority of ~~such the~~ municipal corporation, by 395
~~a an affirmative majority vote of the majority of the its~~ 396
~~members of such legislative authority,~~ may petition the board of 397
county commissioners for a change of township lines in order to 398
make them identical, in whole or in part, with the limits of the 399
municipal corporation, or to erect a new township out of the 400
portion of such township included within the limits of ~~such the~~ 401
municipal corporation. 402

(B) At least ten days before the municipal legislative 403
authority votes on a change of township lines, the legislative 404
authority shall provide notice to any township that is the 405

subject of the boundary change sought under this section. If the 406
vote is not taken or does not result in an affirmative vote of 407
the majority, notice shall be provided to any such township 408
within ten days after the result is known or the vote is not 409
taken. The notice shall be sent by ordinary mail or, if the 410
municipal corporation has record of an internet identifier of 411
record for the affected township, by that internet identifier of 412
record. 413

(C) The board of county commissioners, on presentation of 414
such the petition, with authentication of the proceedings of the 415
legislative authority authenticated, at a regular or adjourned 416
session, shall, upon the petition of a city, change the 417
boundaries of the township or erect such a new township out of 418
the portion of the township included within the limits of the 419
municipal corporation, and may, upon the petition of a village, 420
change the boundaries of the township or erect such a new 421
township. 422

(D) As used in this section, "internet identifier of 423
record" has the same meaning as in section 9.312 of the Revised 424
Code. 425

Sec. 505.43. In order to obtain police protection, or to 426
obtain additional police protection, any township may enter into 427
a contract with one or more townships, municipal corporations, 428
park districts created pursuant to section 511.18 or 1545.01 of 429
the Revised Code, county sheriffs, joint police districts, or 430
with a governmental entity of an adjoining state upon any terms 431
that are agreed to by them, for services of police departments 432
or use of police equipment, or the interchange of the service of 433
police departments or use of police equipment within the several 434
territories of the contracting subdivisions, if the contract is 435

first authorized by respective boards of township trustees or 436
other legislative bodies. The cost of the contract may be paid 437
for from the township general fund or from funds received 438
pursuant to the passage of a levy authorized pursuant to 439
division (J) or (JJ) of section 5705.19 and section 5705.25 of 440
the Revised Code. 441

Chapter 2744. of the Revised Code, insofar as it is 442
applicable to the operation of police departments, applies to 443
the contracting political subdivisions and police department 444
members when the members are rendering service outside their own 445
subdivision pursuant to the contract. 446

Police department members acting outside the subdivision 447
in which they are employed may participate in any pension or 448
indemnity fund established by their employer to the same extent 449
as while acting within the employing subdivision, and are 450
entitled to all the rights and benefits of Chapter 4123. of the 451
Revised Code, to the same extent as while performing service 452
within the subdivision. 453

The contract may provide for a fixed annual charge to be 454
paid at the times agreed upon and stipulated in the contract. 455

Sec. 505.86. (A) As used in this section: 456

"Party in interest" means an owner of record of the real 457
property on which the building or structure is located, and 458
includes a holder of a legal or equitable lien of record on the 459
real property or the building or other structure. 460

"Total cost" means any costs incurred due to the use of 461
employees, materials, or equipment of the township, any costs 462
arising out of contracts for labor, materials, or equipment, and 463
costs of service of notice or publication required under this 464

section. 465

(B) A board of township trustees, by resolution, may 466
provide for the removal, repair, or securance of buildings or 467
other structures in the township that have been declared 468
insecure, unsafe, or structurally defective by any fire 469
department under contract with the township or by the county 470
building department or other authority responsible under Chapter 471
3781. of the Revised Code for the enforcement of building 472
regulations or the performance of building inspections in the 473
township, or buildings or other structures that have been 474
declared to be in a condition dangerous to life or health, or 475
unfit for human habitation by the board of health of the general 476
health district of which the township is a part. 477

At least thirty days before the removal, repair, or 478
securance of any insecure, unsafe, or structurally defective 479
building or other structure, the board of township trustees 480
shall give notice by certified mail, return receipt requested, 481
to each party in interest of its intention with respect to the 482
removal, repair, or securance of an insecure, unsafe, or 483
structurally defective or unfit building or other structure. 484

If the address of a party in interest is unknown and 485
cannot reasonably be obtained, it is sufficient to publish the 486
notice once in a newspaper of general circulation in the 487
township. 488

(C) (1) If the board of trustees, in a resolution adopted 489
under this section, pursues action to remove any insecure, 490
unsafe, or structurally defective building or other structure, 491
the notice shall include a statement informing the parties in 492
interest that each party in interest is entitled to a hearing if 493
the party in interest requests a hearing in writing within 494

twenty days after the notice was mailed. The written request for 495
a hearing shall be made to the township fiscal officer. 496

(2) If a party in interest timely requests a hearing, the 497
board shall set the date, time, and place for the hearing and 498
notify the party in interest by certified mail, return receipt 499
requested. The date set for the hearing shall be within fifteen 500
days, but not earlier than seven days, after the party in 501
interest has requested a hearing, unless otherwise agreed to by 502
both the board and the party in interest. The hearing shall be 503
recorded by stenographic or electronic means. 504

(3) The board shall make an order deciding the matter not 505
later than thirty days after a hearing, or not later than thirty 506
days after mailing notice to the parties in interest if no party 507
in interest requested a hearing. The order may dismiss the 508
matter or direct the removal, repair, or securance of the 509
building or other structure. At any time, a party in interest 510
may consent to an order. 511

(4) A party in interest who requested and participated in 512
a hearing, and who is adversely affected by the order of the 513
board, may appeal the order under section 2506.01 of the Revised 514
Code. 515

(D) At any time, a party in interest may enter into an 516
agreement with the board of township trustees to perform the 517
removal, repair, or securance of the insecure, unsafe, or 518
structurally defective or unfit building or other structure. 519

(E) If an emergency exists, as determined by the board, 520
notice may be given other than by certified mail and less than 521
thirty days before the removal, repair, or securance. 522

(F) The total cost of removing, repairing, or securing 523

buildings or other structures that have been declared insecure, 524
unsafe, structurally defective, or unfit for human habitation, 525
or of making emergency corrections of hazardous conditions, when 526
approved by the board, shall be paid out of the township general 527
fund from moneys not otherwise appropriated, except that, if the 528
costs incurred exceed five hundred dollars, the board may borrow 529
moneys from a financial institution to pay for the costs in 530
whole or in part. 531

The total cost may be collected by either of the following 532
methods: 533

(1) The board may have the fiscal officer of the township 534
certify the total costs, together with a proper description of 535
the lands to the county auditor who shall place the costs upon 536
the tax duplicate. The costs are a lien upon the lands from and 537
after the date of entry. The costs shall be returned to the 538
township and placed in the township's general fund. 539

(2) The board may commence a civil action to recover the 540
total costs from the owner of record of the real property on 541
which the building or structure is located. 542

(G) Any board of township trustees may, whenever a policy 543
or policies of insurance are in force providing coverage against 544
the peril of fire on a building or structure and the loss agreed 545
to between the named insured or insureds and the company or 546
companies is more than five thousand dollars and equals or 547
exceeds sixty per cent of the aggregate limits of liability on 548
all fire policies covering the building or structure on the 549
property, accept security payments and follow the procedures of 550
divisions (C) and (D) of section 3929.86 of the Revised Code. 551

Sec. 505.87. (A) A board of township trustees may provide 552

for the abatement, control, or removal of vegetation, garbage, 553
refuse, and other debris from land in the township, if the board 554
determines that the owner's maintenance of that vegetation, 555
garbage, refuse, or other debris constitutes a nuisance. 556

(B) At least seven days before providing for the 557
abatement, control, or removal of any vegetation, garbage, 558
refuse, or other debris, the board of township trustees shall 559
notify the owner of the land and any holders of liens of record 560
upon the land that: 561

(1) The owner is ordered to abate, control, or remove the 562
vegetation, garbage, refuse, or other debris, the owner's 563
maintenance of which has been determined by the board to be a 564
nuisance; 565

(2) If that vegetation, garbage, refuse, or other debris 566
is not abated, controlled, or removed, or if provision for its 567
abatement, control, or removal is not made, within seven days, 568
the board shall provide for the abatement, control, or removal, 569
and any ~~expenses~~costs incurred by the board in performing that 570
task shall be entered upon the tax duplicate and become a lien 571
upon the land from the date of entry. 572

The board shall send the notice to the owner of the land 573
by certified mail if the owner is a resident of the township or 574
is a nonresident whose address is known, and by certified mail 575
to lienholders of record; alternatively, if the owner is a 576
resident of the township or is a nonresident whose address is 577
known, the board may give notice to the owner by causing any of 578
its agents or employees to post the notice on the principal 579
structure on the land and to photograph that posted notice with 580
a camera capable of recording the date of the photograph on it. 581
If the owner's address is unknown and cannot reasonably be 582

obtained, it is sufficient to publish the notice once in a 583
newspaper of general circulation in the township. 584

(C) If a board of township trustees determines within 585
twelve consecutive months after a prior nuisance determination 586
that the same owner's maintenance of vegetation, garbage, 587
refuse, or other debris on the same land in the township 588
constitutes a nuisance, at least four days before providing for 589
the abatement, control, or removal of any vegetation, garbage, 590
refuse, or other debris, the board shall give notice of the 591
subsequent nuisance determination to the owner of the land and 592
to any holders of liens of record upon the land as follows: 593

(1) The board shall send written notice by first class 594
mail to the owner of the land and to any lienholders of record. 595
Failure of delivery of the notice shall not invalidate any 596
action to abate, control, or remove the nuisance. Alternatively, 597
the board may give notice to the owner by causing any of its 598
agents or employees to post the notice on the principal 599
structure on the land and to photograph that posted notice with 600
a camera capable of recording the date of the photograph on it. 601

(2) If the owner's address is unknown and cannot 602
reasonably be obtained, it is sufficient to post the notice on 603
the board of township trustee's internet web site for four 604
consecutive days, or to post the notice in a conspicuous 605
location in the board's office for four consecutive days if the 606
board does not maintain an internet web site. 607

(D) The owner of the land or holders of liens of record 608
upon the land may enter into an agreement with the board of 609
township trustees providing for either party to the agreement to 610
perform the abatement, control, or removal before the time the 611
board is required to provide for the abatement, control, or 612

removal under division (E) of this section. 613

(E) If, within seven days after notice is given under 614
division (B) of this section, or within four days after notice 615
is given under division (C) of this section, the owner of the 616
land fails to abate, control, or remove the vegetation, garbage, 617
refuse, or other debris, or no agreement for its abatement, 618
control, or removal is entered into under division (D) of this 619
section, the board of township trustees shall provide for the 620
abatement, control, or removal and may employ the necessary 621
labor, materials, and equipment to perform the task. All 622
~~expenses~~ costs incurred, when approved by the board, shall be 623
paid out of the township general fund from moneys not otherwise 624
appropriated, except that if the ~~expenses~~ costs incurred exceed 625
five hundred dollars, the board may borrow moneys from a 626
financial institution to pay for the ~~expenses~~ costs in whole or 627
in part. 628

(F) The board of township trustees shall make a written 629
report to the county auditor of the board's action under this 630
section. The board shall include in the report a proper 631
description of the premises and a statement of all ~~expenses~~ 632
costs incurred in providing for the abatement, control, or 633
removal of any vegetation, garbage, refuse, or other debris as 634
provided in division (E) of this section, including the board's 635
charges for its services, the costs incurred in providing 636
notice, any fees or interest paid to borrow moneys, and the 637
amount paid for labor, materials, and equipment. The ~~expenses~~ 638
~~incurred, when allowed, shall be entered~~ county auditor shall 639
place the costs upon the tax duplicate ~~7. The costs~~ are a lien 640
upon the land from and after the date of the entry, ~~shall be~~ 641
~~collected as other taxes, and~~ . The costs shall be returned to 642
the township and placed in the ~~township~~ township's general fund. 643

Sec. 505.871. (A) A board of township trustees may 644
provide, by resolution, for the removal of any vehicle in the 645
unincorporated territory of the township that the board 646
determines is a junk motor vehicle, as defined in section 647
505.173 of the Revised Code. 648

(B) If a junk motor vehicle is located on public property, 649
the board of township trustees may provide in the resolution for 650
the immediate removal of the vehicle. 651

(C) (1) If a junk motor vehicle is located on private 652
property, the board of township trustees may provide in the 653
resolution for the removal of the vehicle not sooner than 654
fourteen days after the board serves written notice of its 655
intention to remove or cause the removal of the vehicle on the 656
owner of the land and any holders of liens of record on the 657
land. 658

(2) The notice provided under this division shall 659
generally describe the vehicle to be removed and indicate all of 660
the following: 661

(a) The board has determined that the vehicle is a junk 662
motor vehicle. 663

(b) If the owner of the land fails to remove the vehicle 664
within fourteen days after service of the notice, the board may 665
remove or cause the removal of the vehicle. 666

(c) Any ~~expenses~~ costs the board incurs in removing or 667
causing the removal of the vehicle may be entered upon the tax 668
duplicate and become a lien upon the land from the date of 669
entry. 670

(3) The board shall serve the notice under this division 671
by sending it by certified mail, return receipt requested, to 672

the owner of the land, if the owner resides in the 673
unincorporated territory of the township or if the owner resides 674
outside the unincorporated territory of the township and the 675
owner's address is known or ascertainable through an exercise of 676
reasonable diligence. The board also shall send notice in such 677
manner to any holders of liens of record on the land. If a 678
notice sent by certified mail is refused or unclaimed, or if an 679
owner's address is unknown and cannot reasonably be ascertained 680
by an exercise of reasonable diligence, the board shall publish 681
the notice once in a newspaper of general circulation in the 682
township before the removal of the vehicle, and, if the land 683
contains any structures, the board also shall post the notice on 684
the principal structure on the land. 685

A notice sent by certified mail shall be deemed to be 686
served for purposes of this section on the date it was received 687
as indicated by the date on a signed return receipt. A notice 688
given by publication shall be deemed to be served for purposes 689
of this section on the date of the newspaper publication. 690

(D) The board of township trustees may cause the removal 691
or may employ the labor, materials, and equipment necessary to 692
remove a junk motor vehicle under this section. All ~~expenses-~~ 693
costs incurred in removing or causing the removal of a junk 694
motor vehicle, when approved by the board, shall be paid out of 695
the township general fund from moneys not otherwise 696
appropriated, except that if the ~~expenses-~~costs exceed five 697
hundred dollars, the board may borrow moneys from a financial 698
institution to pay the ~~expenses-~~costs in whole or in part. 699

(E) The board of township trustees may utilize any lawful 700
means to collect the ~~expenses-~~costs incurred in removing or 701
causing the removal of a junk motor vehicle under this section, 702

including any fees or interest paid to borrow moneys under 703
division (D) of this section. The board may direct the township 704
fiscal officer to certify the ~~expenses~~ costs and a description 705
of the land to the county auditor, ~~who~~. The county auditor 706
shall place the ~~expenses~~ costs upon the tax duplicate ~~as~~. The 707
costs are a lien upon the land to from and after the date of 708
entry. The costs shall be collected as other taxes and returned 709
to the township and placed in the township's general fund. 710

(F) (1) As used in this division: 711

(a) "Motor vehicle salvage dealer" has the same meaning as 712
in section 4738.01 of the Revised Code. 713

(b) "Scrap metal processing facility" has the same meaning 714
as in section 4737.05 of the Revised Code. 715

(2) Notwithstanding section 4513.63 of the Revised Code, 716
if a junk motor vehicle is removed and disposed of in accordance 717
with this section, the clerk of courts of the county shall issue 718
a salvage certificate of title for that junk motor vehicle to a 719
motor vehicle salvage dealer licensed pursuant to Chapter 4738. 720
of the Revised Code or a scrap metal processing facility 721
licensed pursuant to sections 4737.05 to 4737.12 of the Revised 722
Code if all of the following conditions are satisfied: 723

(a) The board of township trustees has entered into a 724
contract with the motor vehicle salvage dealer or scrap metal 725
processing facility for the disposal or removal of the junk 726
motor vehicle in accordance with section 505.85 of the Revised 727
Code. 728

(b) The fiscal officer for the board of township trustees 729
executes in triplicate an affidavit prescribed by the registrar 730
of motor vehicles describing the junk motor vehicle and the 731

manner of removal or disposal and certifying that all 732
requirements of this section and the notice and records search 733
requirements of section 4505.101 of the Revised Code have been 734
satisfied. 735

(c) The board of township trustees retains the original 736
affidavit for the board's records and furnishes the remaining 737
two copies of the affidavit to the motor vehicle salvage dealer 738
or scrap metal processing facility. 739

(d) The motor vehicle salvage dealer or scrap metal 740
processing facility presents one copy of the affidavit to the 741
clerk. 742

(3) The clerk shall issue the salvage certificate of 743
title, free and clear of all liens and encumbrances, not later 744
than thirty days after the motor vehicle salvage dealer or scrap 745
metal processing facility presents the affidavit pursuant to 746
division (F) (2) of this section. 747

(G) Notwithstanding section 4513.65 of the Revised Code, 748
but subject to division (H) (2) of this section, any collector's 749
vehicle that meets the definition of a junk motor vehicle is 750
subject to removal under this section. 751

(H) (1) Nothing in this section affects the authority of a 752
board of township trustees to adopt and enforce resolutions 753
under section 505.173 of the Revised Code to regulate the 754
storage of junk motor vehicles on private or public property in 755
the unincorporated territory of the township. 756

(2) A resolution adopted under this section is subject to 757
the same restrictions specified in division (A) of section 758
505.173 of the Revised Code for resolutions adopted under that 759
section. 760

Sec. 517.27. (A) When a public cemetery in a township is 761
not under the control of a municipal corporation, and the title 762
or control ~~thereof~~ is vested in an association or ~~the~~ its board 763
of trustees thereof, or is vested in a religious society, 764
whether incorporated or not, or in ~~the~~ its board of trustees 765
~~thereof~~, and such cemetery is used exclusively for cemetery 766
purposes, such association, society, or ~~the board of~~ trustees 767
~~thereof~~ may convey such grounds to the board of township 768
trustees and its successors in office. ~~Subject Except as~~ 769
provided in division (B) of this section, and subject to the 770
rights of the original grantor, ~~his~~ the original grantor's heirs 771
or assigns, the board of township trustees shall accept and take 772
possession of ~~such the~~ grounds, and take care of, keep in 773
repair, hold, treat, and manage them in all respects as required 774
by sections 517.01 to 517.32, inclusive, of the Revised Code. 775

(B) A board of township trustees is not required to accept 776
and take possession of the grounds of a public cemetery, or to 777
take care of, keep in repair, hold, treat, or manage the grounds 778
as described in division (A) of this section, if, as a result of 779
the conveyance, any parcel abutting the cemetery grounds or from 780
which the grounds were partitioned or subdivided satisfies any 781
of the following conditions: 782

(1) The parcel is owned by the association or its trustees 783
or the religious society that conveyed the cemetery grounds or 784
by an association, its trustees, or a religious society that is 785
a successor to the association, trustees, or religious society 786
that conveyed the cemetery grounds. 787

(2) Any part of the parcel, including any building or 788
structure situated on the parcel, is used for social, 789
educational, recreational, or religious activities of the 790

association or religious society or of an association or 791
religious society that is a successor to the association, 792
trustees, or religious society that conveyed the cemetery 793
grounds. 794

(3) Any part of the parcel, including any building or 795
structure situated on the parcel, is exempted from property 796
taxation under section 5709.07 or 5709.14 of the Revised Code, 797
or under division (B) of section 5709.12 of the Revised Code on 798
the basis of being used exclusively for charitable purposes by 799
the association or religious society that conveyed the cemetery 800
grounds. 801

(C) When a cemetery association or religious society 802
conveys a cemetery under this section, all cemetery records and 803
funds shall be transferred to the township. Transferred funds 804
shall be used exclusively for cemetery purposes as set forth in 805
section 1721.06 of the Revised Code and any other similar 806
provisions of the Revised Code that require funds to be held in 807
trust for cemetery purposes. 808

Sec. 715.82. A municipal corporation may issue bonds and 809
exercise all other powers under Chapter 165. of the Revised Code 810
for one or more projects or parts thereof located in a joint 811
economic development district created pursuant to a contract 812
entered into under section 715.70, 715.71, or 715.72 of the 813
Revised Code to which the municipal corporation is a party, or 814
in a township adjacent to that municipal corporation, if the 815
legislative authority of the municipal corporation determines 816
that the project is in furtherance of the public purposes of the 817
state to create or preserve jobs and employment opportunities 818
and to improve the economic welfare of the people of the 819
municipal corporation and the township. As used in this section, 820

"project" has the same meaning as in ~~division (H) of~~ section 821
165.01 of the Revised Code, except that a project described in 822
this section is not required to be located within the 823
territorial boundaries of the municipal corporation. 824

Sec. 742.33. (A) Each employer shall pay monthly, on such 825
dates as the board of trustees of the Ohio police and fire 826
pension fund requires, from its general fund, or from a levy 827
imposed pursuant to division (J) ~~or~~, (W), or (JJ) of section 828
5705.19 of the Revised Code, to the fund an amount known as the 829
"police officer employers' contribution," which shall be 830
nineteen and one-half per cent of the salaries as defined in 831
division (L) of section 742.01 of the Revised Code of the 832
members of the police department of the employer. 833

(B) The taxing authority of each municipal corporation in 834
which there was a police relief and pension fund on October 1, 835
1965, shall annually, in the manner provided for making other 836
municipal levies and in addition to all other levies authorized 837
by law, levy a tax of three-tenths of one mill upon all the real 838
and personal property as listed for taxation in the municipal 839
corporation for the purpose of paying the police officer 840
employers' contribution and the municipal corporation's accrued 841
liability for its former police relief and pension fund and 842
interest thereon, and of defraying the current operating 843
expenses of the municipal corporation. The annual revenues 844
derived from the tax shall be used in the following order: 845

(1) First, to pay the current police officer employers' 846
contribution and any interest related thereto; 847

(2) Second, to pay any accrued liability chargeable to the 848
municipal corporation during the current calendar year for its 849
former police relief and pension fund and any interest related 850

thereto; 851

(3) Third, to defray the current operating expenses of the 852
municipal corporation. 853

Sec. 742.34. (A) Each employer shall pay monthly, on such 854
dates as the board of trustees of the Ohio police and fire 855
pension fund requires, from its general fund, or from a levy 856
imposed pursuant to division (I) ~~or~~, (W), or (JJ) of section 857
5705.19 of the Revised Code, to the fund an amount known as the 858
"firefighter employers' contribution," which shall be twenty- 859
four per cent of the salaries as defined in division (L) of 860
section 742.01 of the Revised Code of the members of the fire 861
department of the employer. 862

(B) The taxing authority of each municipal corporation in 863
which there was a firemen's relief and pension fund on October 864
1, 1965, shall annually, in the manner provided for making other 865
municipal levies and in addition to all other levies authorized 866
by law, levy a tax of three-tenths of one mill upon all the real 867
and personal property as listed for taxation in the municipal 868
corporation for the purpose of paying the firefighter employers' 869
contribution and the municipal corporation's accrued liability 870
for its former firemen's relief and pension fund and interest 871
thereon, and of defraying the current operating expenses of the 872
municipal corporation. The annual revenues derived from the tax 873
shall be used in the following order: 874

(1) First, to pay the current firefighter employers' 875
contribution and any interest related thereto; 876

(2) Second, to pay any accrued liability chargeable to the 877
municipal corporation during the current calendar year for its 878
former firemen's relief and pension fund and any interest 879

related thereto; 880

(3) Third, to defray the current operating expenses of the 881
municipal corporation. 882

Sec. 1545.05. (A) Upon the creation of a park district, 883
the probate judge shall appoint three commissioners who shall 884
take office immediately and whose terms shall expire one, two, 885
and three years, respectively, from the first day of January 886
next after the date of their appointment. Thereafter, their 887
successors shall be appointed by the probate judge for terms of 888
three years. Before entering upon the performance of the duties 889
of the office, each commissioner shall take an oath to perform 890
faithfully the duties of the office and, except as otherwise 891
provided in section 3.061 of the Revised Code, shall give bond 892
for that faithful performance in the sum of five thousand 893
dollars. The bond shall be approved by and filed with the county 894
auditor. The commissioners shall serve without compensation, but 895
shall be allowed their actual and necessary expenses incurred in 896
the performance of their duties. 897

(B) Any board of park commissioners of a park district may 898
elect to expand the membership of the board from three members 899
to five members upon a majority vote of the board. Upon such a 900
vote, the board shall certify to the probate judge a resolution 901
requesting the judge to appoint two additional members to the 902
board. The probate judge shall appoint those additional members, 903
and they shall take office immediately upon their appointment. 904
One member shall be appointed to a term that expires on the 905
first day of January of the year following the year of that 906
member's appointment, and one member shall be appointed to a 907
term that expires on the first day of January of the second year 908
following the year of that member's appointment. Thereafter, 909

their successors shall be appointed by the probate judge for 910
terms of three years. 911

Sec. 1710.02. (A) A special improvement district may be 912
created within the boundaries of any one municipal corporation, 913
any one township, or any combination of ~~contiguous~~ municipal 914
corporations and townships within a single county, or counties 915
that adjoin one another, for the purpose of developing and 916
implementing plans for public improvements and public services 917
that benefit the district. A district may be created by petition 918
of the owners of real property within the proposed district, or 919
by an existing qualified nonprofit corporation. If the district 920
is created by an existing qualified nonprofit corporation, the 921
purposes for which the district is created may be supplemental 922
to the other purposes for which the corporation is organized. 923
All territory in a special improvement district shall be 924
contiguous; except that the territory in a special improvement 925
district may be noncontiguous if at least one special energy 926
improvement project or shoreline improvement project is 927
designated for each parcel of real property included within the 928
special improvement district. Additional territory may be added 929
to a special improvement district created under this chapter for 930
the purpose of developing and implementing plans for special 931
energy improvement projects or shoreline improvement projects if 932
at least one special energy improvement project or shoreline 933
improvement project, respectively, is designated for each parcel 934
of real property included within such additional territory and 935
the addition of territory is authorized by the initial plan 936
proposed under division (F) of this section or a plan adopted by 937
the board of directors of the special improvement district under 938
section 1710.06 of the Revised Code. 939

The district shall be governed by the board of trustees of 940

a nonprofit corporation. This board shall be known as the board 941
of directors of the special improvement district. No special 942
improvement district shall include any church property, or 943
property of the federal or state government or a county, 944
township, or municipal corporation, unless the church or the 945
county, township, or municipal corporation specifically requests 946
in writing that the property be included within the district, or 947
unless the church is a member of the existing qualified 948
nonprofit corporation creating the district at the time the 949
district is created. A shoreline improvement project may extend 950
into the territory of Lake Erie as described in sections 1506.10 951
and 1506.11 of the Revised Code. However, the state shall remain 952
exempt from any special assessment that may be levied against 953
that territory under section 1710.06 and Chapter 727. of the 954
Revised Code. More than one district may be created within a 955
participating political subdivision, but no real property may be 956
included within more than one district unless the owner of the 957
property files a written consent with the clerk of the 958
legislative authority, the township fiscal officer, or the 959
village clerk, as appropriate. The area of each district shall 960
be contiguous; except that the area of a special improvement 961
district may be noncontiguous if all parcels of real property 962
included within such area contain at least one special energy 963
improvement or shoreline improvement thereon. 964

(B) Except as provided in division (C) of this section, a 965
district created under this chapter is not a political 966
subdivision. A district created under this chapter shall be 967
considered a public agency under section 102.01 and a public 968
authority under section 4115.03 of the Revised Code. Each member 969
of the board of directors of a district, each member's designee 970
or proxy, and each officer and employee of a district shall be 971

considered a public official or employee under section 102.01 of 972
the Revised Code and a public official and public servant under 973
section 2921.42 of the Revised Code. Districts created under 974
this chapter are not subject to sections 121.81 to 121.83 of the 975
Revised Code. Districts created under this chapter are subject 976
to sections 121.22 and 121.23 of the Revised Code. 977

(C) Each district created under this chapter shall be 978
considered a political subdivision for purposes of section 979
4905.34 of the Revised Code. 980

Membership on the board of directors of the district shall 981
not be considered as holding a public office. Directors and 982
their designees shall be entitled to the immunities provided by 983
Chapter 1702. and to the same immunity as an employee under 984
division (A) (6) of section 2744.03 of the Revised Code, except 985
that directors and their designees shall not be entitled to the 986
indemnification provided in section 2744.07 of the Revised Code 987
unless the director or designee is an employee or official of a 988
participating political subdivision of the district and is 989
acting within the scope of the director's or designee's 990
employment or official responsibilities. 991

District officers and district members and directors and 992
their designees or proxies shall not be required to file a 993
statement with the Ohio ethics commission under section 102.02 994
of the Revised Code. All records of the district shall be 995
treated as public records under section 149.43 of the Revised 996
Code, except that records of organizations contracting with a 997
district shall not be considered to be public records under 998
section 149.43 or section 149.431 of the Revised Code solely by 999
reason of any contract with a district. 1000

(D) Except as otherwise provided in this section, the 1001

nonprofit corporation that governs a district shall be organized 1002
in the manner described in Chapter 1702. of the Revised Code. 1003
Except in the case of a district created by an existing 1004
qualified nonprofit corporation, the corporation's articles of 1005
incorporation are required to be approved, as provided in 1006
division (E) of this section, by resolution of the legislative 1007
authority of each participating political subdivision of the 1008
district. A copy of that resolution shall be filed along with 1009
the articles of incorporation in the secretary of state's 1010
office. 1011

In addition to meeting the requirements for articles of 1012
incorporation set forth in Chapter 1702. of the Revised Code, 1013
the articles of incorporation for the nonprofit corporation 1014
governing a district formed under this chapter shall provide all 1015
the following: 1016

(1) The name for the district, which shall include the 1017
name of each participating political subdivision of the 1018
district; 1019

(2) A description of the territory within the district, 1020
which may be all or part of each participating political 1021
subdivision. The description shall be specific enough to enable 1022
real property owners to determine if their property is located 1023
within the district. 1024

(3) A description of the procedure by which the articles 1025
of incorporation may be amended. The procedure shall include 1026
receiving approval of the amendment, by resolution, from the 1027
legislative authority of each participating political 1028
subdivision and filing the approved amendment and resolution 1029
with the secretary of state. 1030

(4) The reasons for creating the district, plus an 1031
explanation of how the district will be conducive to the public 1032
health, safety, peace, convenience, and welfare of the district. 1033

(E) The articles of incorporation for a nonprofit 1034
corporation governing a district created under this chapter and 1035
amendments to them shall be submitted to the municipal 1036
executive, if any, and the legislative authority of each 1037
municipal corporation or township in which the proposed district 1038
is to be located. Except in the case of a district created by an 1039
existing qualified nonprofit corporation, the articles or 1040
amendments shall be accompanied by a petition signed either by 1041
the owners of at least sixty per cent of the front footage of 1042
all real property located in the proposed district that abuts 1043
upon any street, alley, public road, place, boulevard, parkway, 1044
park entrance, easement, or other existing public improvement 1045
within the proposed district, excluding church property or 1046
property owned by the state, county, township, municipal, or 1047
federal government, unless a church, county, township, or 1048
municipal corporation has specifically requested in writing that 1049
the property be included in the district, or by the owners of at 1050
least seventy-five per cent of the area of all real property 1051
located within the proposed district, excluding church property 1052
or 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. Pursuant to Section 2o 1056
of Article VIII, Ohio Constitution, the petition required under 1057
this division may be for the purpose of developing and 1058
implementing plans for special energy improvement projects or 1059
shoreline improvement projects, and, in such case, is determined 1060
to be in furtherance of the purposes set forth in Section 2o of 1061

Article VIII, Ohio Constitution. Except as provided in division 1062
(H) of this section, if a special improvement district is being 1063
created under this chapter for the purpose of developing and 1064
implementing plans for special energy improvement projects or 1065
shoreline improvement projects, the petition required under this 1066
division shall be signed by one hundred per cent of the owners 1067
of the area of all real property located within the proposed 1068
special improvement district, at least one special energy 1069
improvement project or shoreline improvement project shall be 1070
designated for each parcel of real property within the special 1071
improvement district, and the special improvement district may 1072
include any number of parcels of real property as determined by 1073
the legislative authority of each participating political 1074
subdivision in which the proposed special improvement district 1075
is to be located. For purposes of determining compliance with 1076
these requirements, the area of the district, or the front 1077
footage and ownership of property, shall be as shown in the most 1078
current records available at the county recorder's office and 1079
the county engineer's office sixty days prior to the date on 1080
which the petition is filed. 1081

Each municipal corporation or township with which the 1082
petition is filed has sixty days to approve or disapprove, by 1083
resolution, the petition, including the articles of 1084
incorporation. In the case of a district created by an existing 1085
qualified nonprofit corporation, each municipal corporation or 1086
township has sixty days to approve or disapprove the creation of 1087
the district after the corporation submits the articles of 1088
incorporation or amendments thereto. This chapter does not 1089
prohibit or restrict the rights of municipal corporations under 1090
Article XVIII of the Ohio Constitution or the right of the 1091
municipal legislative authority to impose reasonable conditions 1092

in a resolution of approval. The acquisition, installation, 1093
equipping, and improvement of a special energy improvement 1094
project under this chapter shall not supersede any local zoning, 1095
environmental, or similar law or regulation. In addition, all 1096
activities associated with a shoreline improvement project that 1097
is implemented under this chapter shall comply with all 1098
applicable local zoning requirements, all local, state, and 1099
federal environmental laws and regulations, and all applicable 1100
requirements established in Chapter 1506. of the Revised Code 1101
and rules adopted under it. 1102

(F) Persons proposing creation and operation of the 1103
district may propose an initial plan for public services or 1104
public improvements that benefit all or any part of the 1105
district. Any initial plan shall be submitted as part of the 1106
petition proposing creation of the district or, in the case of a 1107
district created by an existing qualified nonprofit corporation, 1108
shall be submitted with the articles of incorporation or 1109
amendments thereto. 1110

An initial plan may include provisions for the following: 1111

(1) Creation and operation of the district and of the 1112
nonprofit corporation to govern the district under this chapter; 1113

(2) Hiring employees and professional services; 1114

(3) Contracting for insurance; 1115

(4) Purchasing or leasing office space and office 1116
equipment; 1117

(5) Other actions necessary initially to form, operate, or 1118
organize the district and the nonprofit corporation to govern 1119
the district; 1120

(6) A plan for public improvements or public services that 1121
benefit all or part of the district, which plan shall comply 1122
with the requirements of division (A) of section 1710.06 of the 1123
Revised Code and may include, but is not limited to, any of the 1124
permissive provisions described in the fourth sentence of that 1125
division or listed in divisions (A)(1) to (7) of that section; 1126

(7) If the special improvement district is being created 1127
under this chapter for the purpose of developing and 1128
implementing plans for special energy improvement projects or 1129
shoreline improvement projects, provision for the addition of 1130
territory to the special improvement district. 1131

After the initial plan is approved by all municipal 1132
corporations and townships to which it is submitted for approval 1133
and the district is created, each participating subdivision 1134
shall levy a special assessment within its boundaries to pay for 1135
the costs of the initial plan. The levy shall be for no more 1136
than ten years from the date of the approval of the initial 1137
plan; except that if the proceeds of the levy are to be used to 1138
pay the costs of a special energy improvement project or 1139
shoreline improvement project, the levy of a special assessment 1140
shall be for no more than thirty years from the date of approval 1141
of the initial plan. In the event that additional territory is 1142
added to a special improvement district, the special assessment 1143
to be levied with respect to such additional territory shall 1144
commence not earlier than the date such territory is added and 1145
shall be for no more than thirty years from such date. For 1146
purposes of levying an assessment for this initial plan, the 1147
services or improvements included in the initial plan shall be 1148
deemed a special benefit to property owners within the district. 1149

(G) Each nonprofit corporation governing a district under 1150

this chapter may do the following: 1151

(1) Exercise all powers of nonprofit corporations granted 1152
under Chapter 1702. of the Revised Code that do not conflict 1153
with this chapter; 1154

(2) Develop, adopt, revise, implement, and repeal plans 1155
for public improvements and public services for all or any part 1156
of the district; 1157

(3) Contract with any person, political subdivision as 1158
defined in section 2744.01 of the Revised Code, or state agency 1159
as defined in section 1.60 of the Revised Code to develop and 1160
implement plans for public improvements or public services 1161
within the district; 1162

(4) Contract and pay for insurance for the district and 1163
for directors, officers, agents, contractors, employees, or 1164
members of the district for any consequences of the 1165
implementation of any plan adopted by the district or any 1166
actions of the district. 1167

The board of directors of a special improvement district 1168
may, acting as agent and on behalf of a participating political 1169
subdivision, sell, transfer, lease, or convey any special energy 1170
improvement project owned by the participating political 1171
subdivision upon a determination by the legislative authority 1172
thereof that the project is not required to be owned exclusively 1173
by the participating political subdivision for its purposes, for 1174
uses determined by the legislative authority thereof as those 1175
that will promote the welfare of the people of such 1176
participating political subdivision; improve the quality of life 1177
and the general and economic well-being of the people of the 1178
participating political subdivision; better ensure the public 1179

health, safety, and welfare; protect water and other natural 1180
resources; provide for the conservation and preservation of 1181
natural and open areas and farmlands, including by making urban 1182
areas more desirable or suitable for development and 1183
revitalization; control, prevent, minimize, clean up, or mediate 1184
certain contamination of or pollution from lands in the state 1185
and water contamination or pollution; or provide for safe and 1186
natural areas and resources. The legislative authority of each 1187
participating political subdivision shall specify the 1188
consideration for such sale, transfer, lease, or conveyance and 1189
any other terms thereof. Any determinations made by a 1190
legislative authority of a participating political subdivision 1191
under this division shall be conclusive. 1192

Any sale, transfer, lease, or conveyance of a special 1193
energy improvement project by a participating political 1194
subdivision or the board of directors of the special improvement 1195
district may be made without advertising, receipt of bids, or 1196
other competitive bidding procedures applicable to the 1197
participating political subdivision or the special improvement 1198
district under Chapter 153. or 735. or section 1710.11 of the 1199
Revised Code or other representative provisions of the Revised 1200
Code. 1201

(H) The owner of real property that is part of a planned 1202
community or a condominium development is deemed to have signed 1203
the petitions required under division (E) of this section and 1204
division (B) of section 1710.06 of the Revised Code with respect 1205
to a special improvement district that is being created for the 1206
purpose of developing and implementing plans for shoreline 1207
improvement projects if the district and the projects have been 1208
approved through an alternative process prescribed by the 1209
bylaws, declarations, covenants, and restrictions governing the 1210

planned community or condominium development. Such an 1211
alternative process may consist of a vote of the owners 1212
association or unit owners association, the approval of a 1213
specified percentage of property owners, or any other procedure 1214
authorized by the bylaws, declarations, covenants, and 1215
restrictions governing the planned community or condominium 1216
development. 1217

As used in this division, "condominium development" and 1218
"unit owners association" have the same meanings as in section 1219
5311.01 of the Revised Code, and "planned community," "owners 1220
association," "bylaws," and "declaration" have the same meanings 1221
as in section 5312.01 of the Revised Code. 1222

Sec. 2151.70. The judge, in a county maintaining a school, 1223
forestry camp, or other facility or facilities created under 1224
section 2151.65 of the Revised Code, shall appoint the 1225
superintendent of any such facility. In the case of a district 1226
facility created under such section, the board of trustees shall 1227
appoint the superintendent. A-Except as otherwise provided in 1228
section 3.061 of the Revised Code, a superintendent, before 1229
entering upon ~~his~~ official duties, shall give bond with 1230
sufficient surety to the judge or to the board, as the case may 1231
be, in such amount as may be fixed by the judge or the board, 1232
such bond being conditioned upon the full and faithful 1233
accounting of the funds and properties coming into ~~his~~ the 1234
superintendent's hands. 1235

Compensation of the superintendent and other necessary 1236
employees of a school, forestry camp, or other facility or 1237
facilities shall be fixed by the judge in the case of a county 1238
facility, or by the board of trustees in the case of a district 1239
facility. Such compensation and other expenses of maintaining 1240

the facility shall be paid in the manner prescribed in section 1241
2151.13 of the Revised Code in the case of a county facility, or 1242
in accordance with rules and regulations provided for in section 1243
2151.77 of the Revised Code in the case of a district facility. 1244

The superintendent of a facility shall appoint all 1245
employees of such facility. All such employees, except the 1246
superintendent, shall be in the classified civil service. 1247

The superintendent of a school, forestry camp, or other 1248
facility shall have entire executive charge of such facility, 1249
under supervision of the judge, in the case of a county 1250
facility, or under supervision of the board of trustees, in the 1251
case of a district facility. The superintendent shall control, 1252
manage, and operate the facility, and shall have custody of its 1253
property, files, and records. 1254

Sec. 2152.42. (A) Any detention facility established under 1255
section 2152.41 of the Revised Code shall be under the direction 1256
of a superintendent. The superintendent shall be appointed by, 1257
and under the direction of, the judge or judges or, for a 1258
district facility, the board of trustees of the facility. The 1259
superintendent serves at the pleasure of the juvenile court or, 1260
in a district detention facility, at the pleasure of the board 1261
of trustees. 1262

~~Before~~ Except as otherwise provided in section 3.061 of 1263
the Revised Code, before commencing work as superintendent, the 1264
person appointed shall obtain a bond, with sufficient surety, 1265
conditioned upon the full and faithful accounting of the funds 1266
and properties under the superintendent's control. 1267

The superintendent, under the supervision and subject to 1268
the rules and regulations of the board, shall control, manage, 1269

operate, and have general charge of the facility and shall have 1270
the custody of its property, files, and records. 1271

(B) For a county facility, the superintendent shall 1272
appoint all employees of the facility, who shall be in the 1273
unclassified civil service. The salaries shall be paid as 1274
provided by section 2151.13 of the Revised Code for other 1275
employees of the court, and the necessary expenses incurred in 1276
maintaining the facility shall be paid by the county. 1277

For a district facility, the superintendent shall appoint 1278
other employees of the facility and fix their compensation, 1279
subject to approval of the board of trustees. Employees of a 1280
district facility, except for the superintendent, shall be in 1281
the classified civil service. 1282

(C) During the school year, when possible, a comparable 1283
educational program with competent and trained staff shall be 1284
provided for children of school age who are in the facility. A 1285
sufficient number of trained recreational personnel shall be 1286
included among the staff. Medical and mental health services 1287
shall be made available. 1288

Sec. 3721.15. (A) Authorization from a resident or a 1289
sponsor with a power of attorney for a home to manage the 1290
resident's financial affairs shall be in writing and shall be 1291
attested to by a witness who is not connected in any manner 1292
whatsoever with the home or its administrator. The home shall 1293
maintain accounts pursuant to division (A) (27) of section 1294
3721.13 of the Revised Code. Upon the resident's transfer, 1295
discharge, or death, the account shall be closed and a final 1296
accounting made. All remaining funds shall be returned to the 1297
resident or resident's sponsor, except in the case of death, 1298
when all remaining funds shall be transferred or used in 1299

accordance with section 5162.22 of the Revised Code. 1300

(B) A home that manages a resident's financial affairs 1301
shall deposit the resident's funds in excess of one thousand 1302
dollars, and may deposit the resident's funds that are one 1303
thousand dollars or less, in an interest-bearing account 1304
separate from any of the home's operating accounts. Interest 1305
earned on the resident's funds shall be credited to the 1306
resident's account. A resident's funds that are one thousand 1307
dollars or less and have not been deposited in an interest- 1308
bearing account may be deposited in a noninterest-bearing 1309
account or petty cash fund. 1310

(C) Each resident whose financial affairs are managed by a 1311
home shall be promptly notified by the home when the total of 1312
the amount of funds in the resident's accounts and the petty 1313
cash fund plus other nonexempt resources reaches two hundred 1314
dollars less than the maximum amount permitted a recipient of 1315
medicaid. The notice shall include an explanation of the 1316
potential effect on the resident's eligibility for medicaid if 1317
the amount in the resident's accounts and the petty cash fund, 1318
plus the value of other nonexempt resources, exceeds the maximum 1319
assets a medicaid recipient may retain. 1320

(D) ~~Each~~ Except as otherwise provided in section 3.061 of 1321
the Revised Code, each home that manages the financial affairs 1322
of residents shall purchase a surety bond or otherwise provide 1323
assurance satisfactory to the director of health, or, in the 1324
case of a home that participates in the medicaid program, to the 1325
medicaid director, to assure the security of all residents' 1326
funds managed by the home. 1327

Sec. 4503.03. (A) (1) (a) Except as provided in division (B) 1328
of this section, the registrar of motor vehicles may designate 1329

one or more of the following persons to act as a deputy registrar in each county: 1330
1331

(i) The county auditor in any county, subject to division (A) (1) (b) (i) of this section; 1332
1333

(ii) The clerk of a court of common pleas in any county, subject to division (A) (1) (b) (ii) of this section; 1334
1335

(iii) An individual; 1336

(iv) A nonprofit corporation as defined in division (C) of section 1702.01 of the Revised Code. 1337
1338

(b) (i) If the population of a county is forty thousand or less according to the most recent federal decennial census and if the county auditor is designated by the registrar as a deputy registrar, no other person need be designated in the county to act as a deputy registrar. 1339
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(ii) The registrar may designate a clerk of a court of common pleas as a deputy registrar if the population of the county is forty thousand or less according to the last federal census. In a county with a population greater than forty thousand but not more than fifty thousand according to the last federal census, the clerk of a court of common pleas is eligible to act as a deputy registrar and may participate in the competitive selection process for the award of a deputy registrar contract by applying in the same manner as any other person. All fees collected and retained by a clerk for conducting deputy registrar services shall be paid into the county treasury to the credit of the certificate of title administration fund created under section 325.33 of the Revised Code. 1344
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Notwithstanding the county population restrictions in 1358

division (A) (1) (b) of this section, if no person applies to act 1359
under contract as a deputy registrar in a county and the county 1360
auditor is not designated as a deputy registrar, the registrar 1361
may ask the clerk of a court of common pleas to serve as the 1362
deputy registrar for that county. 1363

(c) As part of the selection process in awarding a deputy 1364
registrar contract, the registrar shall consider the customer 1365
service performance record of any person previously awarded a 1366
deputy registrar contract pursuant to division (A) (1) of this 1367
section. 1368

(2) Deputy registrars shall accept applications for the 1369
annual license tax for any vehicle not taxed under section 1370
4503.63 of the Revised Code and shall assign distinctive numbers 1371
in the same manner as the registrar. Such deputies shall be 1372
located in such locations in the county as the registrar sees 1373
fit. There shall be at least one deputy registrar in each 1374
county. 1375

Deputy registrar contracts are subject to the provisions 1376
of division (B) of section 125.081 of the Revised Code. 1377

(B) (1) The registrar shall not designate any person to act 1378
as a deputy registrar under division (A) (1) of this section if 1379
the person or, where applicable, the person's spouse or a member 1380
of the person's immediate family has made, within the current 1381
calendar year or any one of the previous three calendar years, 1382
one or more contributions totaling in excess of one hundred 1383
dollars to any person or entity included in division (A) (2) of 1384
section 4503.033 of the Revised Code. As used in this division, 1385
"immediate family" has the same meaning as in division (D) of 1386
section 102.01 of the Revised Code, and "entity" includes any 1387
political party and any "continuing association" as defined in 1388

division (C) (4) of section 3517.01 of the Revised Code or 1389
"political action committee" as defined in division (C) (8) of 1390
that section that is primarily associated with that political 1391
party. For purposes of this division, contributions to any 1392
continuing association or any political action committee that is 1393
primarily associated with a political party shall be aggregated 1394
with contributions to that political party. 1395

The contribution limitations contained in this division do 1396
not apply to any county auditor or clerk of a court of common 1397
pleas. A county auditor or clerk of a court of common pleas is 1398
not required to file the disclosure statement or pay the filing 1399
fee required under section 4503.033 of the Revised Code. The 1400
limitations of this division also do not apply to a deputy 1401
registrar who, subsequent to being awarded a deputy registrar 1402
contract, is elected to an office of a political subdivision. 1403

(2) The registrar shall not designate either of the 1404
following to act as a deputy registrar: 1405

(a) Any elected public official other than a county 1406
auditor or, as authorized by division (A) (1) (b) of this section, 1407
a clerk of a court of common pleas, acting in an official 1408
capacity, except that, the registrar shall continue and may 1409
renew a contract with any deputy registrar who, subsequent to 1410
being awarded a deputy registrar contract, is elected to an 1411
office of a political subdivision; 1412

(b) Any person holding a current, valid contract to 1413
conduct motor vehicle inspections under section 3704.14 of the 1414
Revised Code. 1415

(3) As used in division (B) of this section, "political 1416
subdivision" has the same meaning as in section 3501.01 of the 1417

Revised Code. 1418

(C) (1) Except as provided in division (C) (2) of this 1419
section, deputy registrars are independent contractors and 1420
neither they nor their employees are employees of this state, 1421
except that nothing in this section shall affect the status of 1422
county auditors or clerks of courts of common pleas as public 1423
officials, nor the status of their employees as employees of any 1424
of the counties of this state, which are political subdivisions 1425
of this state. Each deputy registrar shall be responsible for 1426
the payment of all unemployment compensation premiums, all 1427
workers' compensation premiums, social security contributions, 1428
and any and all taxes for which the deputy registrar is legally 1429
responsible. Each deputy registrar shall comply with all 1430
applicable federal, state, and local laws requiring the 1431
withholding of income taxes or other taxes from the compensation 1432
of the deputy registrar's employees. Each deputy registrar shall 1433
maintain during the entire term of the deputy registrar's 1434
contract a policy of business liability insurance satisfactory 1435
to the registrar and shall hold the department of public safety, 1436
the director of public safety, the bureau of motor vehicles, and 1437
the registrar harmless upon any and all claims for damages 1438
arising out of the operation of the deputy registrar agency. 1439

(2) For purposes of Chapter 4141. of the Revised Code, 1440
determinations concerning the employment of deputy registrars 1441
and their employees shall be made under Chapter 4141. of the 1442
Revised Code. 1443

(D) (1) With the approval of the director, the registrar 1444
shall adopt rules governing deputy registrars. The rules shall 1445
do all of the following: 1446

(a) Establish requirements governing the terms of the 1447

contract between the registrar and each deputy registrar and the 1448
services to be performed; 1449

(b) Establish requirements governing the amount of bond to 1450
be given as provided in this section; 1451

(c) Establish requirements governing the size and location 1452
of the deputy's office; 1453

(d) Establish requirements governing the leasing of 1454
equipment necessary to conduct the vision screenings required 1455
under section 4507.12 of the Revised Code and training in the 1456
use of the equipment; 1457

(e) Encourage every deputy registrar to inform the public 1458
of the location of the deputy registrar's office and hours of 1459
operation by means of public service announcements; 1460

(f) Allow any deputy registrar to advertise in regard to 1461
the operation of the deputy registrar's office, including 1462
allowing nonprofit corporations operating as a deputy registrar 1463
to advertise that a specified amount of proceeds collected by 1464
the nonprofit corporation are directed to a specified charitable 1465
organization or philanthropic cause; 1466

(g) Specify the hours the deputy's office is to be open to 1467
the public and require as a minimum that one deputy's office in 1468
each county be open to the public for at least four hours each 1469
weekend, provided that if only one deputy's office is located 1470
within the boundary of the county seat, that office is the 1471
office that shall be open for the four-hour period each weekend; 1472

(h) Specify that every deputy registrar, upon request, 1473
provide any person with information about the location and 1474
office hours of all deputy registrars in the county; 1475

- (i) Allow a deputy registrar contract to be awarded to a nonprofit corporation formed under the laws of this state;
- (j) Except as provided in division (D) (2) of this section, prohibit any deputy registrar from operating more than one deputy registrar's office at any time;
- (k) For the duration of any deputy registrar contract, require that the deputy registrar occupy a primary residence in a location that is within a one-hour commute time from the deputy registrar's office or offices. The rules shall require the registrar to determine commute time by using multiple established internet-based mapping services.
- (l) Establish procedures for a deputy registrar to request the authority to collect reinstatement fees under sections 4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 4510.72, and 4511.191 of the Revised Code and to transmit the reinstatement fees and two dollars of the service fee collected under those sections. The registrar shall ensure that at least one deputy registrar in each county has the necessary equipment and is able to accept reinstatement fees. The registrar shall deposit the service fees received from a deputy registrar under those sections into the public safety - highway purposes fund created in section 4501.06 of the Revised Code and shall use the money for deputy registrar equipment necessary in connection with accepting reinstatement fees.
- (m) Establish standards for a deputy registrar, when the deputy registrar is not a county auditor or a clerk of a court of common pleas, to sell advertising rights to third party businesses to be placed in the deputy registrar's office;
- (n) Allow any deputy registrar that is not a county

auditor or a clerk of a court of common pleas to operate a 1505
vending machine; 1506

(o) Establish such other requirements as the registrar and 1507
director consider necessary to provide a high level of service. 1508

(2) Notwithstanding division (D)(1)(j) of this section, 1509
the rules may allow both of the following: 1510

(a) The registrar to award a contract to a deputy 1511
registrar to operate more than one deputy registrar's office if 1512
determined by the registrar to be practical; 1513

(b) A nonprofit corporation formed for the purposes of 1514
providing automobile-related services to its members or the 1515
public and that provides such services from more than one 1516
location in this state to operate a deputy registrar office at 1517
any location. 1518

(3) As a daily adjustment, the bureau of motor vehicles 1519
shall credit to a deputy registrar the amount established under 1520
section 4503.038 of the Revised Code for each damaged license 1521
plate or validation sticker the deputy registrar replaces as a 1522
service to a member of the public. 1523

(4)(a) With the prior approval of the registrar, each 1524
deputy registrar may conduct at the location of the deputy 1525
registrar's office any business that is consistent with the 1526
functions of a deputy registrar and that is not specifically 1527
mandated or authorized by this or another chapter of the Revised 1528
Code or by implementing rules of the registrar. 1529

(b) In accordance with guidelines the director of public 1530
safety shall establish, a deputy registrar may operate or 1531
contract for the operation of a vending machine at a deputy 1532
registrar location if products of the vending machine are 1533

consistent with the functions of a deputy registrar. 1534

(c) A deputy registrar may enter into an agreement with 1535
the Ohio turnpike and infrastructure commission pursuant to 1536
division (A)(11) of section 5537.04 of the Revised Code for the 1537
purpose of allowing the general public to acquire from the 1538
deputy registrar the electronic toll collection devices that are 1539
used under the multi-jurisdiction electronic toll collection 1540
agreement between the Ohio turnpike and infrastructure 1541
commission and any other entities or agencies that participate 1542
in such an agreement. The approval of the registrar is not 1543
necessary if a deputy registrar engages in this activity. 1544

(5) As used in this section and in section 4507.01 of the 1545
Revised Code, "nonprofit corporation" has the same meaning as in 1546
section 1702.01 of the Revised Code. 1547

(E)(1) Unless otherwise terminated and except for interim 1548
contracts lasting not longer than one year, contracts with 1549
deputy registrars shall be entered into through a competitive 1550
selection process and shall be limited in duration as follows: 1551

(a) For contracts entered into between July 1, 1996 and 1552
June 29, 2014, for a period of not less than two years, but not 1553
more than three years; 1554

(b) For contracts entered into on or after June 29, 2014, 1555
for a period of five years, unless the registrar determines that 1556
a shorter contract term is appropriate for a particular deputy 1557
registrar. 1558

(2) All contracts with deputy registrars shall expire on 1559
the last Saturday of June in the year of their expiration. Prior 1560
to the expiration of any deputy registrar contract, the 1561
registrar, with the approval of the director, may award a one- 1562

year contract extension to any deputy registrar who has provided 1563
exemplary service based upon objective performance evaluations. 1564

(3) (a) The auditor of state may examine the accounts, 1565
reports, systems, and other data of each deputy registrar at 1566
least every two years. The registrar, with the approval of the 1567
director, shall immediately remove a deputy who violates any 1568
provision of the Revised Code related to the duties as a deputy, 1569
any rule adopted by the registrar, or a term of the deputy's 1570
contract with the registrar. The registrar also may remove a 1571
deputy who, in the opinion of the registrar, has engaged in any 1572
conduct that is either unbecoming to one representing this state 1573
or is inconsistent with the efficient operation of the deputy's 1574
office. 1575

(b) If the registrar, with the approval of the director, 1576
determines that there is good cause to believe that a deputy 1577
registrar or a person proposing for a deputy registrar contract 1578
has engaged in any conduct that would require the denial or 1579
termination of the deputy registrar contract, the registrar may 1580
require the production of books, records, and papers as the 1581
registrar determines are necessary, and may take the depositions 1582
of witnesses residing within or outside the state in the same 1583
manner as is prescribed by law for the taking of depositions in 1584
civil actions in the court of common pleas, and for that purpose 1585
the registrar may issue a subpoena for any witness or a subpoena 1586
duces tecum to compel the production of any books, records, or 1587
papers, directed to the sheriff of the county where the witness 1588
resides or is found. Such a subpoena shall be served and 1589
returned in the same manner as a subpoena in a criminal case is 1590
served and returned. The fees of the sheriff shall be the same 1591
as that allowed in the court of common pleas in criminal cases. 1592
Witnesses shall be paid the fees and mileage provided for under 1593

section 119.094 of the Revised Code. The fees and mileage shall 1594
be paid from the fund in the state treasury for the use of the 1595
agency in the same manner as other expenses of the agency are 1596
paid. 1597

In any case of disobedience or neglect of any subpoena 1598
served on any person or the refusal of any witness to testify to 1599
any matter regarding which the witness lawfully may be 1600
interrogated, the court of common pleas of any county where the 1601
disobedience, neglect, or refusal occurs or any judge of that 1602
court, on application by the registrar, shall compel obedience 1603
by attachment proceedings for contempt, as in the case of 1604
disobedience of the requirements of a subpoena issued from that 1605
court, or a refusal to testify in that court. 1606

(4) Nothing in division (E) of this section shall be 1607
construed to require a hearing of any nature prior to the 1608
termination of any deputy registrar contract by the registrar, 1609
with the approval of the director, for cause. 1610

(F) Except as provided in section 2743.03 of the Revised 1611
Code, no court, other than the court of common pleas of Franklin 1612
county, has jurisdiction of any action against the department of 1613
public safety, the director, the bureau, or the registrar to 1614
restrain the exercise of any power or authority, or to entertain 1615
any action for declaratory judgment, in the selection and 1616
appointment of, or contracting with, deputy registrars. Neither 1617
the department, the director, the bureau, nor the registrar is 1618
liable in any action at law for damages sustained by any person 1619
because of any acts of the department, the director, the bureau, 1620
or the registrar, or of any employee of the department or 1621
bureau, in the performance of official duties in the selection 1622
and appointment of, and contracting with, deputy registrars. 1623

(G) The registrar shall assign to each deputy registrar a series of numbers sufficient to supply the demand at all times in the area the deputy registrar serves, and the registrar shall keep a record in the registrar's office of the numbers within the series assigned. ~~Each~~ Except as otherwise provided in section 3.061 of the Revised Code, each deputy shall be required to give bond in the amount of at least twenty-five thousand dollars, or in such higher amount as the registrar determines necessary, based on a uniform schedule of bond amounts established by the registrar and determined by the volume of registrations handled by the deputy. The form of the bond shall be prescribed by the registrar. The bonds required of deputy registrars, in the discretion of the registrar, may be individual or schedule bonds or may be included in any blanket bond coverage carried by the department.

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

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

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

Sec. 4765.43. (A) During each emergency run made by an ambulance that is equipped for emergency medical services, the

emergency medical service organization operating the ambulance 1654
shall staff the ambulance in accordance with this section. 1655

For purposes of determining the applicable staffing 1656
requirements, both of the following apply: 1657

(1) An emergency run consists of components that are 1658
distinguished between the period during which the ambulance is 1659
traveling to the scene of an emergency and, if applicable, the 1660
period during which the ambulance is transporting a patient from 1661
the scene of the emergency. 1662

(2) In the case of an emergency medical service 1663
organization that utilizes a combination of volunteer and paid 1664
first responders, emergency medical service technicians-basic, 1665
emergency medical service technicians-intermediate, or emergency 1666
medical service technicians-paramedic, the organization is 1667
considered to be substantially utilizing volunteers in a 1668
particular week when the paid individuals, taken as a whole, are 1669
scheduled for a total of not more than one hundred ninety-two 1670
hours in that week. 1671

(B) With respect to the driver of an ambulance during an 1672
emergency run, both of the following apply: 1673

(1) The driver must be at least eighteen years of age and 1674
hold a valid driver's license. 1675

(2) The driver must meet at least one of the following 1676
criteria: 1677

(a) Hold a valid certificate issued under section 4765.30 1678
of the Revised Code to practice as a medical first responder, 1679
EMT, advanced EMT, or paramedic; 1680

(b) Hold a valid fire training certificate issued pursuant 1681

to section 4765.55 of the Revised Code to provide services as a 1682
firefighter; 1683

(c) Be employed and in good standing as a sworn sheriff, 1684
deputy sheriff, constable, police officer, marshal, deputy 1685
marshal, or highway patrol trooper in this state; 1686

(d) Have successfully completed either the emergency 1687
vehicle operations course approved by the national highway 1688
traffic safety administration or an equivalent course approved 1689
by the state board of emergency medical services. 1690

(C) With respect to the component of an emergency run 1691
during which the ambulance is traveling to the scene of the 1692
emergency, the ambulance shall be staffed by at least one of the 1693
following: 1694

(1) An EMT; 1695

(2) An advanced EMT;~~or;~~ 1696

(3) A paramedic; 1697

(4) A first responder without an EMT, advanced EMT, or 1698
paramedic, provided that the first responder is meeting an EMT, 1699
advanced EMT, or paramedic at the scene of the emergency. This 1700
individual may serve as the driver. 1701

(D) With respect to the component of an emergency run 1702
during which a patient is being transported, the ambulance shall 1703
be staffed as follows: 1704

(1) If the emergency medical service organization utilizes 1705
only paid individuals or utilizes volunteers on a basis that is 1706
not considered to be substantially utilizing volunteers, the 1707
ambulance shall be staffed by at least two EMTs, advanced EMTs, 1708
or paramedics. One of these individuals may serve as the driver. 1709

(2) If the emergency medical service organization is 1710
substantially utilizing volunteers or utilizes only volunteers, 1711
the ambulance shall be staffed by at least two EMTs, advanced 1712
EMTs, or paramedics or by at least one first responder and one 1713
EMT, advanced EMT, or paramedic. One of these individuals may 1714
serve as the driver, but if the staffing requirement is being 1715
met by utilizing a medical first responder, the medical first 1716
responder shall serve as the driver. 1717

Sec. 5153.13. ~~Before~~ Except as otherwise provided in 1718
section 3.061 of the Revised Code, before entering upon official 1719
duties, the executive director shall give a bond to the county 1720
in such sum as is fixed by the public children services agency, 1721
with sufficient surety, conditioned upon the faithful 1722
performance of official duties and the full and faithful 1723
accounting of all funds and properties of the agency or county 1724
coming into the executive director's hands. ~~Before~~ Except as 1725
otherwise provided in section 3.061 of the Revised Code, before 1726
entering upon such duties, the executive director shall give a 1727
bond to the probate court, with sufficient surety, conditioned 1728
upon the full and faithful accounting of all trust funds which 1729
the executive director holds on behalf of wards. The amount of 1730
such bond shall be determined by the court and may be modified 1731
by the court, provided that the minimum amount of the bond shall 1732
be five thousand dollars. 1733

The agency may require any other employee thereof, 1734
including the superintendent of the children's home, having 1735
custody or control of funds or property, to give bond to the 1736
county, except as otherwise provided in section 3.061 of the 1737
Revised Code, in such sum as the board determines, with 1738
sufficient surety, conditioned upon the faithful performance of 1739
the duties of such employee and the full and faithful accounting 1740

of any funds and properties coming into the employee's hands. 1741
The cost of such bonds shall be paid by the agency. 1742

Sec. 5705.25. (A) (1) A copy of any resolution adopted as 1743
provided in section 5705.19 or 5705.2111 of the Revised Code 1744
shall be certified by the taxing authority to the board of 1745
elections of the proper county not less than ninety days before 1746
the general election in any year, and the board shall submit the 1747
proposal to the electors of the subdivision at the succeeding 1748
November election. In the case of a qualifying library levy, the 1749
board shall submit the question to the electors of the library 1750
district or association library district. ~~Except~~ 1751

(2) Except as otherwise provided in this division, a 1752
resolution to renew or to renew and increase or renew and 1753
decrease an existing levy, regardless of the section of the 1754
Revised Code under which the tax was imposed, shall not be 1755
placed on the ballot unless the question is submitted at the 1756
general election held during the last year the tax to be renewed 1757
may be extended on the real and public utility property tax list 1758
and duplicate, or at any election held in the ensuing year. The 1759
limitation of the foregoing sentence does not apply to a 1760
resolution to renew and increase or to renew ~~part of and~~ 1761
decrease an existing levy that was imposed under section 1762
5705.191 of the Revised Code to supplement the general fund for 1763
the purpose of making appropriations for one or more of the 1764
following purposes: for public assistance, human or social 1765
services, relief, welfare, hospitalization, health, and support 1766
of general hospitals. The limitation of the second preceding 1767
sentence also does not apply to a resolution that proposes to 1768
renew two or more existing levies imposed under section 5705.222 1769
or division (L) of section 5705.19 of the Revised Code, or under 1770
section 5705.21 or 5705.217 of the Revised Code, in which case 1771

the question shall be submitted on the date of the general or 1772
primary election held during the last year at least one of the 1773
levies to be renewed may be extended on the real and public 1774
utility property tax list and duplicate, or at any election held 1775
during the ensuing year. A resolution proposing to renew or 1776
renew and increase or decrease an existing levy may specify that 1777
the renewal, increase, or decrease of the existing levy shall be 1778
extended on the tax list for the tax year specified in the 1779
resolution, which may be the last year the existing levy may be 1780
extended on the list or the ensuing year. If the renewal, 1781
increase, or decrease is to be extended on the tax list for the 1782
last tax year the existing levy would otherwise be extended, the 1783
existing levy shall not be extended on the tax list for that 1784
last year unless the question of the renewal, increase, or 1785
decrease is not approved by a majority of electors voting on the 1786
question, in which case the existing levy shall be extended on 1787
the tax list for that last year. 1788

For purposes of this section, a levy shall be considered 1789
to be an "existing levy" through the year following the last 1790
year it can be placed on ~~that the~~ tax list and duplicate. 1791

(3) The board of elections shall make the necessary 1792
arrangements for the submission of such questions to the 1793
electors of such subdivision, library district, or association 1794
library district, and the election shall be conducted, 1795
canvassed, and certified in the same manner as regular elections 1796
in such subdivision, library district, or association library 1797
district for the election of county officers. Notice of the 1798
election shall be published in a newspaper of general 1799
circulation in the subdivision, library district, or association 1800
library district once a week for two consecutive weeks, or as 1801
provided in section 7.16 of the Revised Code, prior to the 1802

election. If the board of elections operates and maintains a web 1803
site, the board of elections shall post notice of the election 1804
on its web site for thirty days prior to the election. The 1805
notice shall state the purpose, the proposed increase in rate 1806
expressed in dollars and cents for each one hundred dollars of 1807
valuation as well as in mills for each one dollar of valuation, 1808
the number of years during which the increase will be in effect, 1809
the first month and year in which the tax will be levied, and 1810
the time and place of the election. 1811

(B) The form of the ballots cast at an election held 1812
pursuant to division (A) of this section shall be as follows: 1813

"An additional tax for the benefit of (name of subdivision 1814
or public library) _____ for the purpose of (purpose stated 1815
in the resolution) _____ at a rate not exceeding _____ 1816
mills for each one dollar of valuation, which amounts to (rate 1817
expressed in dollars and cents) _____ for each one 1818
hundred dollars of valuation, for _____ (life of indebtedness 1819
or number of years the levy is to run). 1820

1821

	For the Tax Levy	"
	Against the Tax Levy	

(C) If the levy is to be in effect for a continuing period 1822
of time, the notice of election and the form of ballot shall so 1823
state instead of setting forth a specified number of years for 1824
the levy. 1825

If the additional tax or the renewal, increase, or 1826
decrease of an existing levy is to be placed on the current tax 1827

list, the form of the ballot shall be modified by adding, after 1828
the statement of the number of years the levy is to run, the 1829
phrase ", commencing in _____ (first year the tax is to be 1830
levied), first due in calendar year _____ (first calendar 1831
year in which the tax shall be due).". 1832

If the levy submitted is a proposal to renew, increase, or 1833
decrease an existing levy, the form of the ballot specified in 1834
division (B) of this section may be changed by substituting for 1835
the words "An additional" at the beginning of the form, the 1836
words "A renewal of a" in case of a proposal to renew an 1837
existing levy in the same amount; the words "A renewal of 1838
_____ mills and an increase of _____ mills to constitute a" 1839
in the case of an increase; or the words "A renewal of part of 1840
an existing levy, being a reduction of _____ mills, to 1841
constitute a" in the case of a decrease in the proposed levy. 1842

If the levy submitted is a proposal to renew two or more 1843
existing levies imposed under section 5705.222 or division (L) 1844
of section 5705.19 of the Revised Code, or under section 5705.21 1845
or 5705.217 of the Revised Code, the form of the ballot 1846
specified in division (B) of this section shall be modified by 1847
substituting for the words "an additional tax" the words "a 1848
renewal of ____ (insert the number of levies to be renewed) 1849
existing taxes." 1850

If the levy submitted is a levy under section 5705.72 of 1851
the Revised Code or a proposal to renew, increase, or decrease 1852
an existing levy imposed under that section, the name of the 1853
subdivision shall be "the unincorporated area of _____ 1854
(name of township).". 1855

The question covered by ~~such a~~ resolution adopted under 1856
this section shall be submitted as a separate proposition but 1857

may be printed on the same ballot with any other proposition 1858
submitted at the same election, other than the election of 1859
officers. More than one such question may be submitted at the 1860
same election. 1861

(D) A levy voted in excess of the ten-mill limitation 1862
under this section shall be certified to the tax commissioner. 1863
In the first year of the levy, it shall be extended on the tax 1864
lists after the February settlement succeeding the election. If 1865
the additional tax is to be placed upon the tax list of the 1866
current year, as specified in the resolution providing for its 1867
submission, the result of the election shall be certified 1868
immediately after the canvass by the board of elections to the 1869
taxing authority, who shall make the necessary levy and certify 1870
it to the county auditor, who shall extend it on the tax lists 1871
for collection. After the first year, the tax levy shall be 1872
included in the annual tax budget that is certified to the 1873
county budget commission. 1874

Section 2. That existing sections 3.061, 3.30, 9.65, 1875
165.01, 165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 517.27, 1876
715.82, 742.33, 742.34, 1545.05, 1710.02, 2151.70, 2152.42, 1877
3721.15, 4503.03, 4765.43, 5153.13, and 5705.25 of the Revised 1878
Code are hereby repealed. 1879

Section 3. The amendment by this act of section 5705.25 of 1880
the Revised Code applies to property tax questions considered at 1881
any election held on or after the one hundredth day after the 1882
effective date of this section. 1883