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H.B. 323
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. McNally

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SUMMARY

- Specifies qualifications for members of a board of park commissioners of a park district that was a township park district created before 1892 and converted into a park district under R.C. 1545.041 on or before January 1, 1989.
- Specifies that current members of a board of park commissioners of a park district that was a township park district created before 1892, and converted into a park district under R.C. 1545.041 on or before January 1, 1989, may complete the balance of the member's term.

DETAILED ANALYSIS

Board of park commissioners of a park district

The bill provides specific qualifications for members of a board of park commissioners of a park district that was a township park district created before 1892 and converted into a park district under R.C. 1545.041 on or before January 1, 1989. Under the bill, the probate judge must appoint the following three commissioners:¹

- A member of the city council of the most populous city in the park district;
- A member of the village council of the most populous village in the park district;
- A member of the board of township trustees of the most populous township in the park district.

If a park district with members of a board of park commissioners does not contain a city, village, or township, the probate judge must appoint remaining members in accordance with

¹ R.C. 1545.05(C)(1).

continuing law for all other park districts, which does not include specific qualifications for who may be appointed to a board of park commissioners. Additionally, as is consistent with continuing law for all other park districts, the commissioners who are appointed must take office immediately and terms expire one, two, and three years respectively, from the first day of January next after the date of their appointment.²

The bill adds, consistent with continuing law for all other park districts, that commissioners must take an oath to perform faithfully the duties of the office and give bond, approved by and filed with the county auditor, for that faithful performance in the amount of \$5,000 before taking office. The commissioners must serve without compensation but are permitted their actual and necessary expenses incurred in the performance of their duties.³

Additionally, consistent with continuing law for all other park districts, the board of park commissioners may elect to expand the membership of the board from three members to five upon a majority vote of the board. If the board chooses to expand, the board must certify a resolution to the probate judge requesting two additional members be appointed. The bill specifies that for a park district that was a township park district created before 1892 and converted into a park district under R.C. 1545.041 on or before January 1, 1989, one of the additional commissioners must be a county commissioner of a county within the park district and the other additional member must be a citizen who lives in the same county. Consistent with continuing law for all other park districts, one of the additional members must be appointed to a term that expires on the first day of January of the year following the year of appointment and one member must be appointed to a term that expires on the first day of January following the second year of appointment. Those additional member successors will be appointed to terms of three years.⁴

Transition of current commissioners

The bill specifies that, a member of a board of park commissioners of a park district who, before the effective date of the bill, was appointed to a board of commissioners of a park district that was a township park district created before 1892, and converted into a park district under R.C. 1545.041 on or before January 1, 1989, may complete the balance of the member's term. Any members appointed to a board of commissioners of a park district that was a township park district created before 1892, and converted into a park district under R.C. 1545.041 on or before January 1, 1989, after the effective date of the bill must be appointed as described above.⁵

² R.C. 1545.05(C)(1) and (2).

³ R.C. 1545.05(C)(3).

⁴ R.C. 1545.05(C)(4).

⁵ Section 3 of the bill.

HISTORY

Action	Date
Introduced	11-08-23
