



Bethany Boyd

*Final Analysis*  
*Legislative Service Commission*

## **H.B. 92**

123rd General Assembly  
(As Passed by the General Assembly)

**Reps. Terwilleger, O'Brien**

**Sens. Blessing, Schafrath**

**Effective date:** \*

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### **ACT SUMMARY**

- Provides that only a simple majority, rather than 55% of voters, is required to pass certain property tax levies at elections held on a day other than the day of a primary or general election.

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### **CONTENT AND OPERATION**

#### **Supermajority vote required for some property tax questions**

(sec. 5705.191)

Under continuing law, certain property tax levies may be placed on the ballot on the day of a general election (November), a primary election (every other May, or March in Presidential election years), or a special election held in February or August. If the levy question appears on the general or primary election ballot, only a simple majority affirmative vote is required for passage. But under former law, levies appearing on special election ballots required a 55% affirmative vote for passage, unless the levy was for community mental retardation and developmental disability programs.

#### **Eliminate supermajority requirement for property tax questions at special elections**

The act requires only a simple majority affirmative vote for passage of levies appearing on special election ballots.

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\* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

The levies affected by the act are those placed on the ballot by taxing authorities for any of the purposes enumerated in section 5705.19 (other than for school district purposes) and for certain classes of general fund expenditures, such as public assistance or health. Section 5705.19 enumerates most of the purposes for which taxing authorities may levy property taxes.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-20-99	p. 91
Reported, H. Ways & Means	03-02-99	p. 239
Passed House (58-35)	04-20-99	p. 425
Reported, S. Ways & Means	06-08-99	pp. 535-536
Passed Senate (26-6)	06-08-99	p. 538

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