



H.B. 174

123rd General Assembly
(As Introduced)

Reps. Winkler, Allen, Bateman, Britton, Clancy, Corbin, Hoops, Jones, O'Brien, Ogg, Olman, Opfer, Terwilleger, Vesper

BILL SUMMARY

- Requires that money remaining after a village's surrender of corporate powers be distributed to the one or more school districts with territory located within the village.

CONTENT AND OPERATION

Existing law

The Revised Code provides for a village to surrender its corporate powers after a majority of electors in the village approve that surrender. Upon the recording of the results of the election favoring that surrender, the corporate powers of the village cease. Currently, upon this surrender of corporate powers, any *moneys or property* remaining after the surrender belong to the township or townships located wholly or partly within the village. If there is more than one township, the moneys and property must be divided among them in the same proportion as each township's territory bears to the total township territory within the village boundaries. (Sec. 703.20, not in the bill; sec. 703.21(B), in the bill.)

Changes proposed by the bill

The bill changes the distribution of *moneys* remaining after the surrender of village corporate powers. Under the bill, all money remaining after the surrender of corporate powers belongs to the one or more school districts located wholly or partly within the village. If more than one school district will receive the remaining money, the money must be divided among the school districts in the same proportion as the amount of territory each school district located within the village boundaries bears to the total school district territory located within the village boundaries. Real and personal property remaining after the surrender of

corporate powers continues to be distributed to townships as provided in current law. (Sec. 703.21(B) and (C).)

COMMENT

Last session, in Am. Sub. H.B. 770 of the 122nd General Assembly, effective September 16, 1998, the distribution of moneys and property after surrender of village corporate powers was changed so that they would be distributed to the townships which comprised the village. Prior to that change, the moneys and property were to go to the school districts that comprised the village.

HISTORY

| ACTION | DATE | JOURNAL ENTRY |
|------------|----------|---------------|
| Introduced | 02-16-99 | pp. 197-198 |

H0174-I.123/rss

