



H.B. 189
123rd General Assembly
(As Introduced)

Reps. Taylor, Willamowski, Olman, Vesper, Van Vyven

BILL SUMMARY

- Excludes persons under detention in a detention facility from persons counted to determine the population of a municipal corporation for purposes of classifying the municipal corporation as a village or a city.

CONTENT AND OPERATION

Municipal corporations are classified by population into villages and cities: villages have a population under 5,000; cities have a population of 5,000 or more.¹ Population generally is determined by the last federal census. In addition to a census count, a village can become a city if at the last preceding general election more than 5,000 resident electors registered to vote or actually voted.²

Existing statutory law specifically prohibits the counting of college or university students attending school in a municipal corporation as part of its population if the students are not residents of the municipal corporation, when determining whether a village has changed to a city. The bill adds that persons under detention in a detention facility located within a municipal corporation are not to be included as part of its population in determining whether a village has changed to a city, unless the person's addresses when not detained, as indicated in the facility's records, are in that municipal corporation.³ (Sec. 703.01(B)(1).) The bill also requires the Secretary of State to issue a proclamation, after each federal

¹ Section 1 of Article XVIII of the Ohio Constitution and sec. 703.01 O.R.C.

² Secs. 703.01 and 703.011 O.R.C.

³ The bill defines a "detention facility," by cross-reference to section 2921.01 of the Revised Code, as any place used for the confinement of a person charged with or convicted of any crime or alleged or found to be a delinquent child or unruly child (sec. 703.01(B)(3)).

census, which certifies the number of permanent residents in a municipal corporation in which a detention facility is located and the number of persons detained in that facility; this is similar to existing law's proclamation requirements pertaining to municipal corporations in which a college or university is located and to attending students (sec. 703.01(B)(2)).

COMMENT

In a federal census, the census counts inmates in institutions as residents of the place where their institution is located; thus, prisoners are counted as residents wherever they are incarcerated.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-17-99	p. 213

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