



H.B. 472

124th General Assembly
(As Introduced)

**Reps. Schmidt, Roman, Seitz, Carano, Webster, Clancy, Young, Schneider,
Schaffer, Blasdel**

BILL SUMMARY

- Exempts township lighting contracts awarded to specified electric light companies from competitive bidding requirements and contract length limitations.

CONTENT AND OPERATION

Current law

Current law permits a board of township trustees to provide artificial lights in the unincorporated area of the township, either by having the township itself install a lighting system or by contracting with a person to furnish lights that will be owned by the township or that person. If the board decides to contract for the lights and estimates the cost to exceed \$15,000, the board must bid the contract and award it to the lowest and best bidder. The contract cannot be for a period of more than ten years. (Sec. 515.01.)

Current law also provides for township property owners to petition for artificial lighting of streets that abut their property and, in doing so, for the creation of a lighting district in the unincorporated area of the township. If the board of township trustees, after following a specified procedure, approves the district, a lighting contract may be entered into. It must be competitively bid if the board estimates the cost for the lighting improvements for the area to be more than \$15,000. In that situation, the board may either award the contract to the lowest and best bidder or reject all bids. Any contract so awarded cannot be for a period of longer than ten years. (Secs. 515.02 to 515.06, not in the bill; secs. 515.07 and 515.08, in the bill.)

Changes proposed by the bill

The bill permits a board of township trustees to award these lighting contracts without competitive bidding and without any limitation on their length if it awards them to a "public utility" (secs. 515.01(D), (E), and (F), 515.07, 515.08(B), and 515.13(A)).¹ For these purposes, a "public utility" is defined to be "any electric light company described in division (A) of section 4905.02 or defined in division (A)(4) of section 4905.03 of the Revised Code" (sec. 515.01(A)). The first statutory reference is to nonprofit electric light companies; the second is to electric light companies, whatever business form they may take and wherever they may be organized, that are engaged in the business of supplying electricity for light, heat, or power purposes to consumers within Ohio. Thus, it appears that no competitive bidding requirements or contract length limitations would apply to township lighting contracts with any nonprofit or for-profit electric light company doing business within the state.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-15-02	p. 1232

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¹ *One related provision in the bill refers to the board of township trustees having authority to "continually renew" a contract for a lighting district if the contract is with a public utility and the renewal is in the district's best interest (sec. 515.081(B)).*