



H.B. 577

124th General Assembly
(As Introduced)

Reps. Schneider, Cates

BILL SUMMARY

- Permits a board of county commissioners to enter into an agreement with a transportation improvement district for the county to exercise any power, or perform or render any function or service, for the district.

CONTENT AND OPERATION

Current law

Current law generally permits a board of county commissioners to enter into an agreement with another specified political subdivision so that the board may "exercise any power, perform any function, or render any service, on behalf of the contracting subdivision." Those powers, functions, or services must be ones that the contracting political subdivision could itself legitimately exercise, perform, or render. However, an agreement cannot give the county power to levy taxes within, or on behalf of, the contracting political subdivision unless it is approved by a majority of the electors of the political subdivision. And, an agreement cannot provide, in regard to public moneys, for performing any investment function or rendering any investment service for a contracting political subdivision. (R.C. 307.15(A)(1) and (2) and (C).)

An agreement can contain limitations prescribed by the parties. But, with the exception of those limitations, once the agreement is in effect, the board of county commissioners may exercise all the powers necessary or incidental to contracted-for powers. If the agreement does not specify which officer, office, department, agency, or authority is to exercise contracted-for powers and duties, the board of county commissioners must determine and assign them. (R.C. 307.15(A)(2).)

Currently, the political subdivisions with which the board of county commissioners may enter into such an agreement are any taxing districts under the Property Tax Levy Law, including a municipal corporation, a township, another

county, or a port authority, water or sewer district, school district, library district, health district, park district, soil and water conservation district, or water conservancy district (R.C. 307.15(A)(1)).

Changes proposed by the bill

The bill adds transportation improvement districts (TIDs) to the list of political subdivisions with which a board of county commissioners may contract as described above (R.C. 307.15(A)(1)). A TID is a special district that is created by a board of county commissioners, but that operates independently of the county and is governed by an appointed board of trustees. TIDs undertake street, highway, and other transportation projects and are authorized to issue bonds, receive federal, state, and local grants, collect tolls or user charges, levy special assessments, and levy an annual license tax upon motor vehicles in the district. (R.C. 4504.21 and R.C. Chapter 5540.--not in the bill.)

HISTORY

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