



## **H.B. 367**

125th General Assembly  
(As Passed by the General Assembly)

**Reps.** Distel, Redfern, Hartnett, Collier, Otterman, Kearns, Sferra, Key, Carano, Strahorn, Harwood, Raussen, Wolpert, Cirelli, Domenick, Chandler, Flowers, McGregor, Walcher, Barrett, Beatty, Boccieri, Book, Brown, Callender, Carmichael, DeGeeter, Driehaus, C. Evans, Hagan, Hollister, Hughes, Jerse, Koziura, Mason, Miller, Niehaus, Oelslager, S. Patton, Perry, Price, Reidelbach, Seaver, Setzer, Skindell, D. Stewart, Sykes, Ujvagi, Widener, Wilson, Woodard, Yates

**Sens.** Robert Gardner, Dann, Schuring, White

**Effective date:** \*

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### **ACT SUMMARY**

- Permits a metropolitan park district to permanently expand its board of park commissioners from three to five members.

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### **CONTENT AND OPERATION**

#### **Background law**

Ohio law provides for many different political subdivisions to operate parks. One is referred to as a "metropolitan park district" or sometimes a "county park district." Those park districts (taxing districts for park purposes) consist of all or part of the territory within a county and generally are drawn so as not to divide any existing township or municipal corporation within the county. The probate court approves the creation of a metropolitan park district, pursuant to a specified application and hearing procedure; the court must find that the park district's creation "will be conducive to the general welfare." By another application process involving the probate court and the board of county commissioners as applicant, adjacent territory within or outside the county may be

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\* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

added to a metropolitan park district. Park lands held by the park district may be located within or without the district. (R.C. 1545.01, 1545.02 to 1545.04, 1545.11, and 1545.15--not in the act.)

A metropolitan park district is governed by a board of park commissioners that is appointed by the probate judge and that is a body corporate and politic. Before performing any duties of the office, a park commissioner must give a \$5,000 bond for the faithful performance of those duties. (R.C. 1545.05 and R.C. 1545.07--not in the act.)

**Changes made by the act**

Formerly, a board of park commissioners of a metropolitan park district only could consist of *three* park commissioners who would serve staggered terms of three years. The act generally continues this law but permits a board of park commissioners to expand its membership from three to five members upon a majority vote of the board. If an expansion is so approved, the board must certify (by resolution) the results to the probate judge, who in turn must appoint two additional members. The additional members will take office immediately upon appointment and serve staggered one- or two-year terms; their successors will be appointed by the probate judge for three-year terms. Once a board's membership is increased, the act provides no means for the board to change its size. (R.C. 1545.05.)

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	01-07-04	p. 1370
Reported, H. County & Township Gov't	03-30-04	p. 1747
Passed House (94-1)	05-04-04	pp. 1810-1811
Reported, S. State & Local Gov't & Veterans Affairs	12-02-04	pp. 2368-2369
Passed Senate (29-0)	12-07-04	pp. 2410-2411

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