



**H.B. 97**

125th General Assembly  
(As Introduced)

**Reps. Willamowski, Hagan, McGregor, Seitz, Calvert, Schmidt, Schaffer, Faber, Allen, White, Seaver, Ujvagi, Webster, Fessler, Callender, Buehrer**

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**BILL SUMMARY**

- Explicitly permits a board of township trustees to enter into a lease or a lease with an option to purchase for police department or road equipment.
- Permits a township, township fire district, or joint fire district to enter into a lease or lease with an option to purchase fire-fighting equipment, appliances, or water supply.

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**CONTENT AND OPERATION**

**Lease of township police or road equipment**

**Road equipment**

Under current law, a board of township trustees may purchase machinery, tools, trucks, and other equipment for use in constructing, maintaining, and repairing roads and, subject to the Uniform Bond Law, issue general obligation bonds for their purchase. Although current law gives broad powers to "purchase" and places no limitations on the method of purchasing, the Attorney General has issued an Opinion that the term "purchase" should be interpreted in a very narrow fashion, finding that a "lease" and a "purchase with an option to lease" are not within the power granted in current law to "purchase" equipment. (2000 Ohio Att'y Gen'l Op. 019.)

The bill adds language to current law that specifically permits a board of township trustees to enter into a lease for all the purposes for which it can purchase listed above. In addition, the bill requires the board to pay a minimum down payment of 3/20 of the total cost. If the township sells used equipment as part of the purchase price, the cash down payment may be reduced by the amount

of the sale price of the used equipment. A lease with an option to purchase must be competitively bid. (Sec. 5549.021.)

**Police equipment**

Under current law, a board of township trustees may "purchase or otherwise acquire" any police apparatus, equipment, or materials that the township police district requires and may build, purchase, or lease any building or site necessary for the operations of the township police district. In addition, two or more boards of township trustees may jointly purchase police equipment for any police purpose and prorate the expenses. The bill adds language to both of these provisions stating that in addition to purchasing, the board or boards may lease or lease with an option to purchase such equipment or such a building or site. (Sec. 505.50.)

**Lease of fire equipment**

As with fire and road equipment, the bill adds to the provisions of current law that authorize townships, township fire districts, and joint fire districts to purchase fire equipment, appliances, water supplies, and necessary sites and buildings for fire-fighting purposes, authorization to lease such items, sites, and buildings or to lease them with an option to purchase. (Sec. 505.37.) Current law already permits a township or township fire district to "purchase or otherwise provide" for such items.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	03-04-03	p. 204

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