



## **H.B. 194**

125th General Assembly  
(As Passed by the House)

**Reps. Schneider, Cates, Schmidt, Seitz, Ujvagi, Flowers, McGregor, Schlichter, Walcher, Domenick, Sferra, Cirelli, Price, Wolpert, Aslanides, Barrett, Beatty, Brown, Calvert, Carmichael, Chandler, Clancy, Daniels, DeBose, C. Evans, Gibbs, Harwood, Hughes, Jolivette, Kearns, Key, Niehaus, Oelslager, Otterman, S. Patton, T. Patton, Perry, Raga, Redfern, Reidelbach, Seaver, J. Stewart, Wagner, Webster**

---

### **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 is authorized to exercise, perform, or render under current law. 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 may include limitations prescribed by the parties. But, except for those limitations, once an agreement is in effect, the board of county commissioners may exercise all the powers necessary or incidental to the contracted-for powers. If an agreement does not specify which officer, office, department, agency, or authority is to exercise the contracted-for powers and

duties, the board of county commissioners must determine and assign them. (R.C. 307.15(A)(2).)

The political subdivisions with which a board of county commissioners currently may enter into 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. TID contracts and projects are exempt from the Civil Service Law, the State Purchasing Law, the Public Improvements Law, and several other state law requirements, including prevailing wage requirements, competitive bidding and bid guaranty requirements, construction management services contract requirements, and affirmative action requirements. (R.C. 4504.21 and R.C. Chapter 5540.--not in the bill.)

---

**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	05-20-03	p. 490
Reported, H. County & Township Gov't	10-08-03	p. 1099
Passed House (96-0)	10-15-03	pp. 1119-1121

H0194-ph-125.doc/ejs