



## **Sub. H.B. 355**

125th General Assembly

(As Reported by H. County and Township Government)

**Reps. Callender, McGregor, Hagan, Fessler, Kearns, Carano, Seitz, Setzer, Faber, Wolpert, Chandler, Sferra, Domenick, Collier, Walcher, Flowers**

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### **BILL SUMMARY**

- Provides additional ways for townships to determine the population of the unincorporated territory of a township for purposes of meeting the population requirements to adopt a limited home rule government.

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### **CONTENT AND OPERATION**

#### **Existing law**

Under current law, a township may adopt a limited home rule government if it meets either of the following (sec. 504.01(A), (B), and (D)):

(1) It has a population of at least 5,000 but less than 15,000 in its unincorporated territory, and, in an election initiated by a resolution adopted by a majority vote of the board of township trustees or by a petition of the electors followed by the board's adoption of a resolution, the electors in that territory approve that form of government.

(2) It has a population of 15,000 or more in its unincorporated territory, and either (a) the board of township trustees unanimously votes to adopt that form of government (its resolution not being overturned in a referendum election) or (b) the board, by a majority vote or pursuant to a petition of the electors, adopts a resolution to submit the question to the electors in that territory, who approve that form of government.<sup>1</sup>

"Population" is determined by the most recent regular (decennial) federal census (sec. 1.59(D)--not in the bill).

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<sup>1</sup> The bill recodifies these requirements in divisions (A)(1), (2), and (4) of section 504.01.

**Changes proposed by the bill**

For the purposes of a township adopting a limited home rule government as described above, the bill provides methods, in addition to using the most recent federal decennial census, that attempt to reflect changes in "population" since that census (sec. 504.01(B)). Under the bill, a township's population also may be determined by one of the following additional methods (sec. 504.01(B)):

(1) By a census performed pursuant to a contract between the board of township trustees and a person qualified to conduct a census in the unincorporated territory of the township;<sup>2</sup>

(2) By using the number of resident electors registered with the board of elections in the unincorporated territory of the township, or the number of resident electors who voted at the most recent general election in the unincorporated territory of the township.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	12-18-03	p. 1339
Reported, H. County & Township Government	04-21-04	pp. 1772-1773

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<sup>2</sup> *The bill does not define or list qualifications.*