



H.B. 297

126th General Assembly
(As Introduced)

Reps. Wagoner, Wagner, Kearns, Yuko, Boccieri, McGregor, S. Patton, Healy, Reidelbach, Webster, Brinkman, Gilb, Bulp, Brown, Coley, Harwood, Ujvagi

BILL SUMMARY

- Permits a statutory village to publish ordinances and resolutions or their summaries on the village's Internet web site rather than by other publication methods.

CONTENT AND OPERATION

Current law

Under current law, a village that follows statutory procedures must publish each ordinance or resolution (including emergency ordinances), or a succinct summary of them, once a week for two consecutive weeks (R.C. 731.21 (A), 731.22(A), and 731.23--not in the bill). All village ordinances and resolutions (or their summaries) and statements, orders, proclamations, notices, and reports required by law or ordinance to be published, must be published as follows (R.C. 731.21(A)--not in the bill and R.C. 731.25):

(1) In two English language newspapers of opposite politics, published and of general circulation in the village;

(2) If two English language newspapers of opposite politics are not published and of general circulation in the village, in one such political newspaper and in one other English language newspaper published and of general circulation in the village;

(3) If only one English language newspaper is published and of general circulation in the village, in that newspaper;

(4) If no English language newspaper is published and of general circulation in the village, in any English language newspaper of general circulation

in the village or by posting (see (5) below), at the option of the village's legislative authority;

(5) If no newspaper is published in the village, then, at the option of the village's legislative authority, either by posting copies in not less than five of the most public places in the village for a period of not less than 15 days before the matter's effective date, or by publication in any newspaper (or, in the case of certain notices, in not more than two newspapers) printed in Ohio and of general circulation in the village.

In addition to village ordinances and resolutions (or their summaries), *proclamations* of elections must be published in a manner mentioned above once a week for two consecutive weeks. *Notices* must be published in a manner mentioned above for not less than two and not more than four consecutive weeks. And, all *other matter* must be so published only once. (R.C. 731.22--not in the bill.)

When a summary of an ordinance or resolution is published in a manner mentioned above, the publication must contain a notice that the complete text of the ordinance or resolution may be obtained (upon request and payment of any fee charged) or viewed at the office of the clerk of the village's legislative authority and may be viewed at any other location designated by the legislative authority (R.C. 731.21(B) and (C)--not in the bill).

Finally, if an *ordinance* is not published in a newspaper or posted as described in items (1) to (5) above, the failure is a "sufficient defense" in any suit or prosecution under the ordinance (R.C. 731.26--not in the bill).

Changes made by the bill

The bill adds another manner in which a statutory village may publish its ordinances and resolutions or their summaries. The manner does not apply to statements, orders, proclamations, notices, or reports required by law to be published by a village. Specifically, notwithstanding the statutory requirements discussed above and, thus, regardless of whether certain newspapers are or are not published or in circulation in the village, a village that maintains an Internet web site on a regular basis may publish ordinances and resolutions, or summaries of ordinances and resolutions, required to be published, by posting them on that web site. (R.C. 731.25(B).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	06-14-05	p. 948

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