



# Ohio Legislative Service Commission

## Bill Analysis

Jennifer A. Parker

### Sub. H.B. 280

128th General Assembly  
(As Passed by the House)

**Reps.** Stautberg and Driehaus, Blessing, Book, Brown, Gerberry, Letson, Luckie, Maag, Mallory, Mecklenborg, Pillich, Stewart, Uecker, Yates, Yuko

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## BILL SUMMARY

- Permits the legislative authority of a municipal corporation that failed to timely certify a resolution proposing the question of renewing a specified property tax levy for the November 3, 2009, election ballot to adopt a resolution to place the question of renewing that levy on the ballot at a special election to be held in the municipal corporation on December 10, 2009.
- Requires a municipal corporation placing a levy on the ballot at the December 10, 2009, special election to pay 100% of the election costs to the county treasurer.
- Declares an emergency.

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## CONTENT AND OPERATION

The bill permits the legislative authority of a municipal corporation that failed to timely certify a resolution proposing the question of renewing one qualifying property tax levy<sup>1</sup> to the board of elections for appearance on the November 3, 2009, election ballot to adopt a resolution proposing to place the question of renewing that levy on the ballot at a special election to be held in the municipal corporation on December 10, 2009. The legislative authority must certify the resolution to the proper county board of elections not later than ten days after the bill's effective date, notwithstanding the

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<sup>1</sup> A "qualifying property tax levy" is a property tax levy that a municipal corporation currently is authorized to levy; that expires at the end of 2009; and that is for the purpose of current operating expenses for the general fund and raises three and one-half mills for each one dollar of valuation, which amounts to \$0.35 for each \$100 of valuation.

otherwise applicable requirement that such a resolution be certified not later than 75 days before an election.

The county board of elections is required to perform all acts otherwise required by the law governing the submission of tax levies and the Election Law to place the question of the qualifying tax levy on the ballot at a special election to be held in the municipal corporation on December 10, 2009.

Not later than five days after the municipal corporation certifies the resolution to the board of elections, the board of elections is required to prepare and file with that municipal corporation, the board of county commissioners, and the Secretary of State the estimated cost of placing the question of the renewal of the tax on the ballot in each precinct in the municipal corporation. The municipal corporation must then pay to the county treasurer an amount equal to 100% of the estimated election cost. Payment must be made not less than five or more than ten days after the resolution is certified. The county treasurer must credit the payment to the county general fund.

Not more than seven days after the special election, the board of elections is required to notify the municipal corporation of the true and accurate cost of conducting the election. If the board finds that the amount the municipal corporation paid as an estimated election cost is less than the true and accurate cost, the board must notify the municipal corporation of the deficiency, and the municipal corporation, within 14 days after receiving the notice, must pay an amount equal to the deficiency to the county treasurer, who is required to credit the payment to the county general fund. If the county board of elections finds that the estimated election cost the municipal corporation paid exceeds the true and accurate cost, the board must notify the municipal corporation and the county treasurer of the excess, and the county treasurer, within 14 days after receiving the notice, is required to pay to the municipal corporation an amount equal to the excess from the county general fund.

The bill repeals the authority to hold the December 10, 2009, special election, effective December 30, 2009.

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## HISTORY

ACTION	DATE
Introduced	09-15-09
Reported, H. Elections & Ethics	10-16-09
Passed House (93-6)	10-21-09

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