



Ohio Legislative Service Commission

Final Analysis

Wendy H. Gridley

H.B. 423

129th General Assembly
(As Passed by the General Assembly)

Reps. Gonzales, Blessing, Wachtmann, Stebelton, Conditt, Schuring, Brenner, Garland, Huffman, Landis, Lynch, Newbold, Sears, Stautberg

Effective date: March 13, 2013

ACT SUMMARY

- Provides for the dissolution of a joint recreation district.
- Requires that the county auditor ascertain, apportion, and order a division of the funds on hand, moneys and taxes in the process of collection, credits, and real and personal property when a subdivision withdraws from a joint recreation district.

CONTENT AND OPERATION

Joint recreation districts

Withdrawal from the district

Legislative authorities of municipal corporations, townships, township park districts, counties, school districts, joint recreation districts, educational service centers, or state institutions of higher education that are joined in the operation and maintenance of recreation facilities may, by resolution, establish a joint recreation district governed by a joint recreation district board of trustees that possesses all the powers of a legislative authority of an individual subdivision under the law regarding parks and recreation.¹ Continuing law establishes a method whereby a subdivision may withdraw from the joint recreation district upon certification of a resolution proclaiming a withdrawal to the district's board of trustees. A withdrawing subdivision must continue to have levied against its tax duplicate any tax levied by the district on the date of withdrawal until it expires or is renewed. Prior law did not address what

¹ R.C. 755.14 and 755.16, not in the act.

happens to the moneys, funds, and property of the joint recreation district when a withdrawal occurs.

The act addresses what happens when a subdivision withdraws from the joint recreation district and what happens when the district is dissolved. Upon a subdivision's withdrawal, the act requires the county auditor to ascertain, apportion, and order a division of the funds on hand, moneys and taxes in the process of collection (except for taxes levied for the payment of indebtedness), credits, and real and personal property, either in money or in kind, on the basis of the valuation of the respective tax duplicates of the withdrawing subdivision and the remaining territory of the joint recreation district.² This is comparable to what ongoing law provides for other districts.³

Dissolution of the district

When all but one subdivision withdraws from the joint recreation district, prior law did not address what happens to the district. The act, like other provisions of law for other types of districts,⁴ provides that the district ceases to exist (i.e., it is dissolved). Any funds, credits, and property remaining after apportionments to withdrawing subdivisions by the county auditor are assumed by the one remaining subdivision. When a joint recreation district ceases to exist and indebtedness remains unpaid, the board of county commissioners must continue to levy and collect taxes for the payment of that indebtedness within the territory of the district as it was comprised at the time the indebtedness was incurred.⁵

HISTORY

ACTION	DATE
Introduced	01-24-12
Reported, H. Local Gov't	03-21-12
Passed House (94-0)	04-24-12
Reported, S. State & Local Gov't & Veterans Affairs	05-23-12
Passed Senate (33-0)	11-14-12

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² R.C. 755.181.

³ R.C. 505.37, 505.371, 505.375, 505.551, and 505.71 (not in the act).

⁴ See footnote 3.

⁵ R.C. 755.181.

