



Ohio Legislative Service Commission

Bill Analysis

Bethany Boyd

H.B. 445

129th General Assembly
(As Introduced)

Reps. Hill, J. Adams, Grossman, Buchy, Thompson, Combs, Murray, Stebelton, Peterson, McGregor, Terhar, O'Brien, McClain, Gardner, Henne, Gonzales, Hackett, Schuring, Baker, Young

BILL SUMMARY

- Authorizes one or more boards of county commissioners to enter into a four-year contract with another board of county commissioners for the services of that county's coroner.
- Requires that the contract take effect on or after the first Monday in January of 2017.
- Establishes the terms and conditions that must be in the contract and the conditions under which the contract may be terminated.
- Requires that notice of failure to renew a contract or to enter into a new contract for the services of another county's coroner be given to the county board of elections so that the county may return to electing a coroner.
- Requires that the county treasurer, rather than the coroner as provided in current law, serve as county commissioner in the absence of at least two county commissioners because of sickness or injury.

CONTENT AND OPERATION

Contract for services of another county's coroner

The bill authorizes one or more boards of county commissioners to enter into a contract with another board of county commissioners for the services of that county's coroner. A contract cannot take effect before the first Monday in January 2017. The contract must be for a term of not less than four years that coincides with the term of office of coroners, who are elected for a term of four years that begins on the first

Monday of January next after the election. The election for and the office of coroner must be eliminated in any county that is contracting for the services of another county's coroner for the term of the contract. A coroner under contract with any board of county commissioners is the coroner of that county for purposes of the Revised Code.¹

The contract must set forth the conditions of employment and the term of the contract, and must specify that the coroner's office is eliminated in any county that is contracting for the services of another county's coroner and that no election for coroner can be held in that county during the term of the contract. The contract must be entered into, and the board of county commissioners that is contracting for the services of another county's coroner must provide to the board of elections a copy of the contract, at least 15 days before the Elections Law deadline for filing a declaration of candidacy for the office of coroner, which is not later than 4:00 p.m. of the 90th day before the day of the primary election. Once the board of elections receives a copy of the contract, the board cannot accept any declarations of candidacy for the office of coroner of that county during the term of the contract.

The contract cannot be terminated during its term unless both of the following conditions are met before the contract is terminated:

- ◆ All of the boards of county commissioners that are parties to the contract agree to its termination; and
- ◆ Any board of county commissioners that entered into the contract for the services of the other county's coroner enters into a contract with another board of county commissioners for the services of that county's coroner for the duration of that part of the four-year term that remains.²

Returning to electing the coroner

In the last year of a contract entered into under the bill, any board of county commissioners that contracted for the services of another county's coroner may renew the contract in accordance with the bill, may enter into a new contract under the bill with another board of county commissioners for the provision of those services, or may allow the contract to expire and instead elect a coroner for the county. If any board of county commissioners fails to renew a contract or to enter into a new contract for the services of another county's coroner, the board must give written notice of that fact to the county's board of elections at least 60 days before the Elections Law deadline for filing a declaration of candidacy for the office of coroner. Not later than five business

¹ R.C. 313.01 and 313.011(A).

² R.C. 313.011(B) and (C).

days after receiving the notice, the board of elections must publish a notice once a week for two consecutive weeks (as provided in continuing law regarding publication of notices) that the board of elections will accept declarations of candidacy for the office of coroner of the county.³

Serving as a temporary county commissioner

If two county commissioners in a county are absent because of sickness or injury, the bill requires that the county treasurer also serve as county commissioner until at least one of the absent commissioners returns to office or until the office of at least one of the absent commissioners is deemed vacant and the vacancy is filled. Current law assigns that replacement role to the county coroner.⁴

HISTORY

ACTION	DATE
Introduced	02-08-12

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³ R.C. 313.011(D) and 7.16, not in the bill.

⁴ R.C. 305.03.

