## As Reported by the House Government Oversight Committee

## 135th General Assembly

Regular Session 2023-2024

Sub. H. B. No. 331

Representatives Mathews, Young, T.
Cosponsors: Representatives Seitz, Dean

## A BILL

То	amend	sections	s 703.31,	703.32,	and	703.33	and	to	]
	enact	section	703.331 o	f the Re	evise	ed Code	to		2
	modify	the law	v regardin	g villad	ge di	ssoluti	lon.		3

## BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

<b>Section 1</b> . That sections 703.31, 703.32, and 703.33 be	4
amended and section 703.331 of the Revised Code be enacted to	5
read as follows:	6
Sec. 703.31. As used in sections 703.31 to 703.39 of the	7
Revised Code:	8
"Date the dissolution is effective" means the date the	9
election result is certified under section 703.33 or 703.331 of	10
the Revised Code or the date the attorney general files a	11
certified copy of a court's order of dissolution with the	12
secretary of state, auditor of state, and county recorder, as	13
applicable, under section 118.31 or 703.34 of the Revised Code.	14
"Period when a dissolution is in question" means the	15
period beginning on the date a petition under section 703.33 of	16
the Revised Code is presented, the date an unsatisfactory	17
finding under division (B) of section 703.331 of the Revised	18

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<u>Code is provided to a village,</u> or <u>the date</u> a legal action is
filed by the attorney general under section 118.31 or 703.34 of
the Revised Code and ending the date the result of the election
under section 703.33 or 703.331 of the Revised Code is certified
or the decision of the court of common pleas under section
118.31 or 703.34 of the Revised Code is declared.

"Transition period" means the period beginning on the date the dissolution is effective and ending on the date the transition supervisory board determines all outstanding debts, obligations, and liabilities of the dissolved village have been resolved, all real and personal property of the dissolved village has been transferred or otherwise disposed of, and all utility property and utility services have been transferred.

"Utility services" means electric, water, sewer, and other similar utilities.

Sec. 703.32. The process for dissolving a village, whether the dissolution is determined under section 118.31, 703.33, 703.331, or 703.34 of the Revised Code, shall be conducted in accordance with sections 703.31 to 703.39 of the Revised Code.

Sec. 703.33. (A) Villages may voluntarily dissolve upon the petition to the legislative authority of the village, or, in the alternative, to the board of elections of the county in which the largest portion of the population of the village resides as provided in division (B)(1) of this section, of at least thirty per cent of the electors thereof, to be determined by the number voting at the last regular municipal election, and by an affirmative vote of a majority of the electors at the next general election held in an even-numbered year occurring after the period ending ninety days after the filing of the petition with the legislative authority. If the result of the election is

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in favor of the surrender, the village clerk or, in the alternative, the board of elections shall certify the result to the secretary of state, the auditor of state, and the county recorder, who shall record it in their respective offices.

(B)(1) If the legislative authority of a village fails to act upon the petition within thirty days after receipt of the petition, the electors may present the petition to the board of elections to determine the validity and sufficiency of the signatures. The petition shall be governed by the rules of section 3501.38 of the Revised Code. The petition shall be filed with the board of elections of the county in which the largest portion of the population of the village resides. A petition filed under this division is only valid if filed during an evennumbered year on or after the first day of July, and at least ninety days before the next general election. If the petition is sufficient, the board of elections shall submit the question "Shall the village of surrender its corporate powers?" for the approval or rejection of the electors of the village at the next general election held in an even-numbered year occurring after the period ending ninety days after the filing of the petition with the board. If the result of the election is in favor of the surrender, the board of elections shall certify the results to the secretary of state, the auditor of state, and the county recorder, who shall record it in their respective offices. The corporate powers of the village shallcease upon the recording of the certified election results inthe county recorder's office.

(2) In addition to filing the petition with the board of elections as provided in division (B)(1) of this section, a copy of the petition shall be filed with the board of township trustees of each township affected by the surrender.

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Section 2. That existing sections 703.31, 703.32, and

703.33 of the Revised Code are hereby repealed.

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