

# AN ACT

To amend section 339.02 of the Revised Code to eliminate the requirement that members of a board of county hospital trustees represent in equal numbers the county's two main political parties.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 339.02 of the Revised Code be amended to read as follows:

Sec. 339.02. (A) As used in this section, "area served by the hospital" means the geographic area, whether or not included within the county, from which a county hospital regularly draws patients.

(B) Unless a board of county hospital trustees for the county is in existence in accordance with this section, such board shall be created pursuant to this section after the board of county commissioners first determines by resolution to establish a county hospital. Copies of such resolution shall be certified to the probate judge of the county senior in point of service and to the judge, other than a probate judge, of the court of common pleas of the county senior in point of service.

(C) The board of county commissioners together with the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service shall, within ten days after such certification, appoint a board of county hospital trustees. The board of county hospital trustees shall be composed of six electors of the area served by the hospital unless the board of county commissioners determines that the board of trustees can more effectively function with eight or ten trustees in which case there may be eight or ten trustees, as designated by the board of county commissioners.

(1) When the board of trustees is composed of six electors, their terms of office shall be: one for one year, one for two years, one for three years, one for four years, one for five years, and one for six years from the first Monday of March thereafter.

(2) When the board is composed of eight electors, their terms of office shall be: one for one year, one for two years, two for three years, one for

four years, one for five years, and two for six years from the first Monday of March thereafter.

(3) When the board is composed of ten electors, their terms of office shall be: two for one year, one for two years, two for three years, two for four years, one for five years, and two for six years from the first Monday of March thereafter.

Annually thereafter except as provided in division (D)(2) of this section, on the first Monday of March, the board of county commissioners together with the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service shall appoint or reappoint for a term of six years a sufficient number of electors of the area served by the hospital to replace those trustees whose terms have expired.

(D)(1) The board of county commissioners together with the probate judge senior in point of service and the judge of the court of common pleas senior in point of service in any county in which a board of county hospital trustees has been appointed may expand the number of trustees to eight or to ten. Such additional trustees shall be electors of the area served by the hospital ~~and shall evenly represent the two political parties casting the highest number of votes in such county for its respective candidate for governor at the most recent gubernatorial election.~~ When the number of trustees is increased to eight, one shall be appointed for a three-year and one for a six-year term from the first Monday of March thereafter. When the number of trustees is increased from six to ten, the term for additional members shall be: one for one year, one for three years, one for four years, and one for six years from the first Monday of March thereafter. When the number of trustees is increased from eight to ten, the term for additional members shall be: one for one year and one for four years from the first Monday of March thereafter. Thereafter except as provided in division (D)(2) of this section, upon the expiration of the term of office of each trustee, ~~his~~ the trustee's successor shall be appointed for a term of six years.

(2) The board of county commissioners together with the probate judge senior in point of service and the judge of the court of common pleas senior in point of service may reduce the number of board of county hospital trustees to eight or to six. The reduction shall occur on expiration of a trustee's term of office, at which time no appointment shall be made. While the board of county commissioners and the judges are in the process of reducing the number of trustees, the board of county hospital trustees may consist of nine or seven trustees for one year.

(E) The In no case shall more than one-half of the members of a board

of county hospital trustees ~~shall be bipartisan, with an equal number of members from each of the two independents or be members of any one political parties casting the highest number of votes in such county for its respective candidate for governor at the most recent gubernatorial election party.~~ Notwithstanding any other provision of this section, no more than two members of the board shall be electors of the area served by the hospital that is outside the county in which the hospital is located. The persons so selected shall forthwith be notified, by mail, of their appointment. The notice shall state a time, not more than ten days later, when such board shall meet at the county seat of such county to organize.

On the date stated, the board shall meet and organize by electing one of its number as ~~chairman~~ chairperson and such other officers as specified in the board's rules. Four members of a six-member board constitute a quorum, five members constitute a quorum of an eight-member board, and six members constitute a quorum of a ten-member board.

(F) The board of county commissioners, together with the probate judge senior in point of service and the judge of the court of common pleas senior in point of service, shall fill all vacancies that occur in such board of county hospital trustees which result from death, resignation, or removal from office by appointment of electors from the area served by the hospital to fill the unexpired terms. Any trustee appointed under this section may be removed from office by the appointing authority for cause impairing faithful, efficient, and intelligent administration, or for conduct unbecoming to such office, after an opportunity is given to be heard before the appointing authority upon written charges initiated by the appointing authority or board of trustees, but no removal shall be made for political reasons.

(G) Such board of county hospital trustees shall hold meetings at least once a month, shall adopt necessary rules of procedure, and shall keep a record of its proceedings and a strict account of all its receipts, disbursements, and expenditures; and upon completion of the construction and equipping of a hospital such board shall file such account with the board of county commissioners and make final settlement with such board for the construction and equipping of the hospital.

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SECTION 2. That existing section 339.02 of the Revised Code is hereby repealed.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

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The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_