

AN ACT

To amend sections 511.18, 511.19, 511.20, 511.21, 511.22, 511.23, 511.234, 511.241, 511.27, 511.37, 755.16, and 5705.19, to enact new section 511.25 and section 511.30, and to repeal section 511.25 of the Revised Code to revise the Township Park District Law, to provide for the conversion of certain township park districts for a temporary time period, and to permit a township to submit a combined tax levy for recreational purposes and greenspace.

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

SECTION 1. That sections 511.18, 511.19, 511.20, 511.21, 511.22, 511.23, 511.234, 511.241, 511.27, 511.37, 755.16, and 5705.19 be amended and new section 511.25 and section 511.30 of the Revised Code be enacted to read as follows:

Sec. 511.18. (A) When any number of electors in a township, including the electors of all municipal corporations ~~therein in the township~~, equal to or exceeding one-tenth of the total vote cast in ~~such the~~ township at the most recent general election, files a petition with the board of township trustees for proceedings to organize a park district and to establish one or more ~~free~~ public parks within ~~such the~~ township, the board shall certify ~~such that~~ fact to the court of common pleas of the county, which court, or a judge of the court, shall appoint a board of park commissioners for the township. However, if an entire park district is contained within the unincorporated area of the township, the board of township trustees, instead of the court of common pleas of the county, shall, regardless of when the park district was established, appoint the board of park commissioners, unless the board of township trustees, by unanimous vote, adopts a resolution authorizing the court of common pleas to appoint the board of park commissioners. If For purposes of this division, an entire park district shall be considered to be contained within the unincorporated area of the township if the electors of the unincorporated area would be the only persons entitled to vote on a tax

levy submitted under division (B) of section 511.27 of the Revised Code, regardless of where real property owned by the district is located.

If the board of township trustees adopts ~~such~~ a resolution described in this division, the court, or a judge of the court, shall appoint the board of park commissioners. If, at any time after the adoption of ~~such~~ a that resolution, the board of township trustees wishes to rescind the resolution and again assume the authority provided under this ~~section~~ division to appoint the board of park commissioners, it may adopt a resolution, by unanimous vote, rescinding the previous resolution and its authorization for the court of common pleas to appoint the board of park commissioners. After the adoption of ~~such~~ a rescinding resolution, the board of township trustees shall appoint the board of park commissioners.

~~(B)(1) The boundaries of a township park district, regardless of when the a township park district was established, shall be coterminous with at least seventy-five per cent of the acreage owned by a township park district shall be located within the boundaries of the township, unless the township has ceased to exist since the establishment of the park district, and except as provided in division (B)(2) of this section.~~

~~(2) When a municipal corporation is located within the boundaries of a township where a township park district has been established and the district owns park land within the municipal corporation, any change in the boundaries of the township shall have no effect on the boundaries of the township park district.~~

Sec. 511.19. (A) Except as provided in division (B) of this section, the board of park commissioners shall consist of three ~~suitable~~ resident freeholders electors. The ~~freeholders~~ electors may be residents of the township or of any municipal corporation ~~which~~ that is located within the township, ~~which~~ that was within the township at the time that the park district was established, or the boundaries of which are coterminous with or include the township. One of the commissioners shall serve for one year, one of the commissioners shall serve for two years, and one of the commissioners shall serve for three years, from the second Monday of May succeeding the appointment, and thereafter one commissioner shall be appointed annually to serve for three years. The court of common pleas, or the board of township trustees if the board of park commissioners is appointed by the board of township trustees, shall fill any vacancy ~~which~~ that occurs in the board by death, resignation, or otherwise, by appointment for the unexpired term.

(B) If a board of park commissioners is appointed by the board of township trustees, the board of township trustees may appoint a

five-member board of park commissioners in lieu of the three-member board provided for in division (A) of this section. Except as provided in this division ~~for the conversion of a three-member board~~, members of a five-member board of park commissioners shall serve ~~a one-year term~~ three-year terms. Of the initial appointees, two shall serve one-year terms, two shall serve two-year terms, and one shall serve a three-year term. Thereafter, terms of office for successive appointees shall be for three years. All terms shall commence on the second Monday of May succeeding appointment. Qualifications for members and filling of vacancies on five-member boards shall be the same as provided in division (A) of this section for three-member boards.

(C) A board of township trustees may, by resolution, may convert a three-member board of park commissioners that the board of township trustees has been appointed by them to a five-member board of park commissioners. The conversion shall be effective from the second Monday of May succeeding the adoption of the resolution. If a three-member board is converted, any member of the three-member board whose term had not expired on the date of conversion shall serve as one of the five members of the new board until the expiration date of his that member's term.

(D) a board of township trustees, by resolution, may convert into a three-member board of park commissioners a five-member board of park commissioners that the board of township trustees has appointed. upon the expiration of the terms of one or more park commissioners on the second Monday of may that immediately follows the date of the resolution's adoption, the board of township trustees shall appoint one park commissioner to a three-year term. upon the expiration of the terms of one or more park commissioners on the second Monday of may in each of the immediately following two years, the board of township trustees shall appoint ONE park commissioner to a three-year term. During the transition period from a five-member board to a three-member board, any member of the five-member board whose term has not yet expired shall continue to serve as a member until that member's term expires.

Sec. 511.20. ~~The~~ Prior to the submission to the electors of the question of whether one or more public parks are to be established as provided in section 511.21 of the Revised Code, the board of park commissioners shall call to its assistance one or more skilled landscape architects, and, if desired, other expert advice, as to suitable places for the location of one or more free public parks. Such ~~The~~ the board of park commissioners shall make a written report to the board of township trustees of its findings and recommendations, with an estimate of the cost of the land recommended for

park purposes. Before filing ~~such~~ the report, the board of park commissioners ~~may~~, for park purposes, may take options and receive bids from owners of land.

Sec. 511.21. Upon the filing of the report of the board of park commissioners as provided by section 511.20 of the Revised Code, the board of township trustees shall direct the township clerk to give thirty days' notice, by posting in five public places in the township, and by publication in one or more newspapers of general circulation ~~therein~~ in the township, that an election will be held at the next general election to determine whether one or more ~~free~~ public parks are to be established within the township, and the estimated cost of the land recommended for that purpose.

Sec. 511.22. The board of township trustees shall direct the township clerk to file a written notice ~~with the board of elections~~, not later than four p.m. of the seventy-fifth day before the day of the election, with the board of elections having charge of the preparation of official ballots, that an election will be held as provided ~~by~~ in section 511.21 of the Revised Code, and that the following shall be printed on the ballot:

"YES SHALL A ~~FREE~~ PUBLIC PARK
NO OR PUBLIC PARKS BE
 ESTABLISHED IN
 (NAME)..... TOWNSHIP?"

If a majority of the votes is in favor of the proposition, ~~such~~ a park or parks shall be established for the township. If a majority of the votes cast is against the proposition, the board of park commissioners shall be abolished, and the board of township trustees shall provide for and pay all the proper expenses incurred by it.

Sec. 511.23. (A) When the vote under section ~~511.21~~ 511.22 of the Revised Code is in favor of establishing one or more ~~free~~ public parks, the board of park commissioners shall constitute a board, to be called the board of park commissioners of that township park district, and they shall be a body politic and corporate. Their office is not a township office within the meaning of section 703.22 of the Revised Code but is an office of the township park district. The members of the board shall serve without compensation but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

(B) The board may locate, establish, improve, maintain, and operate a ~~free public park or parks within the township, or, if the township park district contains any incorporated territory, without the township~~ in accordance with division (B) of section 511.18 of the Revised Code, with or without recreational facilities. Any township park district that contains only

unincorporated territory and that operated a ~~free~~ public park or parks outside the township immediately prior to July 18, 1990, may continue to improve, maintain, and operate these parks outside the township, but further acquisitions of land shall not expand a park or establish any new park outside the township affect the boundaries of the park district itself or the appointing authority for the board of park commissioners.

The board may lease, accept a conveyance of, or purchase suitable lands for cash, by purchase by installment payments with or without a mortgage, by ~~entering into lease or~~ lease-purchase agreements, or by lease with option to purchase, ~~or may~~ may acquire suitable lands through an exchange under section 511.241 of the Revised Code, or may appropriate suitable lands and materials for such park district purposes. The board also may lease facilities from other political subdivisions or private sources. The board shall have careful surveys and plats made of the lands acquired for such park district purposes; and shall establish permanent monuments on the boundaries of the lands. ~~Such~~ Those plats, when executed according to sections 711.01 to 711.38 of the Revised Code, shall be recorded in the office of the county recorder, and ~~such~~ those records shall be admissible in evidence for the purpose of locating and ascertaining the true boundaries of the park or parks.

(C) In furtherance of the use and enjoyment of the lands controlled by it, the board may accept donations of money or other property; or ~~may~~ act as trustees of land, money, or other property, and may use and administer the ~~same land, money, or other property~~ as stipulated by the donor; or as provided in the trust agreement. ~~The terms of each such donation or trust shall first be approved by the court of common pleas of the county, or by the board of township trustees if the board of park commissioners is appointed by the board of township trustees, before acceptance by the board of park commissioners, but such approval is not required for agreements made pursuant to section 755.16 of the Revised Code.~~

The board may receive and expend grants for park purposes from agencies and instrumentalities of the United States and this state; and may enter into contracts or agreements with ~~such~~ those agencies and instrumentalities to carry out the purposes for which ~~such~~ the grants were furnished.

(D) In exercising any powers conferred upon the board under divisions (B) and (C) of this section; and for other types of assistance ~~which~~ that the board finds necessary in carrying out its duties, the board may hire and contract for professional, technical, consulting, and other special services; and may purchase goods and award contracts. The procuring of goods and awarding of contracts shall be done in accordance with the procedures

established for the board of county commissioners by sections 307.86 to 307.91 of the Revised Code.

(E) The board may appoint ~~a superintendent~~ an executive for the park or parks and may designate ~~him~~ the executive or another person as the clerk of the board. It may appoint all other necessary officers and employees, fix their compensation, and prescribe their duties, or it may require the executive to appoint all other necessary officers and employees, and to fix their compensation and prescribe their duties, in accordance with guidelines and policies adopted by the board.

(F) The board may adopt ~~such~~ bylaws and rules ~~as~~ that it considers advisable for the following purposes:

(1) To prohibit selling, giving away, or using any intoxicating liquors in the park or parks;

(2) For the government and control of the park or parks and the operation of motor vehicles ~~therein~~ in the park or parks;

(3) To provide for the protection and preservation of all property and natural life within its jurisdiction.

Before ~~such~~ the bylaws and rules take effect, the board shall provide for a notice of their adoption to be published once a week for two consecutive weeks in a newspaper of general circulation in the county within which the park district is located.

No person shall violate any ~~such~~ of the bylaws or rules. Fines levied and collected for violations shall be paid into the treasury of the township park district. The board may use moneys collected from those fines for any purpose that is not inconsistent with sections 511.18 to 511.37 of the Revised Code.

(G) The board may do either of the following:

(1) Establish and charge fees for the use of any facilities and services of the park or parks regardless of whether the park or parks were acquired before, on, or after the effective date of this amendment;

(2) Enter into a lease agreement with an individual or organization that provides for the exclusive use of a specified portion of the park or parks within the township park district by that individual or organization for the duration of an event produced by the individual or organization. The board, for the specific portion of the park or parks covered by the lease agreement, may charge a fee to, or permit the individual or organization to charge a fee to, participants in and spectators at the event covered by the agreement.

(H) If the board finds that real or personal property owned by the township park district is not currently needed for park purposes, the board may lease that property to other persons or organizations during any period

of time the board determines the property will not be needed. If the board finds that competitive bidding on a lease is not feasible, it may lease the property without taking bids.

(I) The board may exchange property owned by the township park district for property owned by the state, another political subdivision, or the federal government on terms that it considers desirable, without the necessity of competitive bidding.

(J) Any such rights or duties established under this section may be modified, shared, or assigned by an agreement pursuant to section 755.16 of the Revised Code.

Sec. 511.234. (A) The board of park commissioners of a township park district may authorize an officer, employee, or appointee of the board to use a credit card held by the board to pay for expenses related to park district business. The debt incurred as a result of the use of a credit card under this section ~~shall be no more than seven hundred fifty dollars a month and shall be paid from township~~ park district funds.

(B) No officer, employee, or appointee of a board of park commissioners who is authorized to use a credit card held by the board shall use it to incur any unauthorized debt against the park district's credit.

(C) Whoever violates division (B) of this section is guilty of one of the following:

(1) A misdemeanor of the first degree if the amount of the unauthorized debt is no more than one hundred fifty dollars;

(2) A felony of the fourth degree if the amount of the unauthorized debt exceeds one hundred fifty dollars.

(D) An officer, employee, or appointee ~~may~~, in a civil action, may be found personally liable to the ~~township~~ park district for ~~his~~ the officer's, employee's, or appointee's unauthorized use of the ~~township~~ park district credit card.

(E) Whenever any officer, employee, or appointee authorized to use a credit card held by the board of park commissioners suspects the loss, theft, or possibility of another person's unauthorized use of the credit card ~~he that~~ the officer, employee, or appointee is authorized to use, ~~he~~ the officer, employee, or appointee shall so notify the board ~~of park commissioners~~ immediately in writing. The officer, employee, or appointee may be held personally liable for unauthorized debt resulting from ~~such~~ the loss, theft, or unauthorized use, in the amount of fifty dollars or the amount charged to the credit card as a result of the loss, theft, or unauthorized use, whichever is less.

Sec. 511.241. The board of park commissioners may acquire lands for

use by the township park district through an exchange of real property ~~whereby in which~~ the board of park commissioners leases or conveys to the township all or part of the lands located within the township to which the township park district holds title, in exchange for the lease or conveyance of township land from the board of township trustees to the board of park commissioners. ~~The board of park commissioners and board of township trustees shall use the lands so exchanged for only park purposes~~ Before any such exchange becomes effective, the county auditor shall certify in writing to the board of township trustees and the board of park commissioners that the current market value of the land that each board will receive is at least equal to the current market value of the land exchanged, plus any cash or other consideration that will be received as part of the exchange. The exchange may include ~~any other~~ terms agreed to between the board of park commissioners and the board of township trustees not otherwise prohibited by law. This section does not authorize exchanges by a board of township trustees that are otherwise prohibited by law. Section 511.25 of the Revised Code does not apply to exchanges authorized by this section.

Sec. 511.25. If the board of park commissioners of a township park district finds that any lands that the board has acquired are not necessary for the purposes for which they were acquired, it may sell and dispose of those lands upon terms that the board considers advisable and may reject any purchase bid received under this section that the board determines does not meet its terms for sale.

Except as otherwise provided in this section, no lands shall be sold without first giving notice of the board's intention to sell the lands by publication once a week for four consecutive weeks in a newspaper of general circulation in the township. The notice shall contain an accurate description of the lands being offered for sale and shall state the time and place at which sealed bids for the lands will be received. If the board rejects all of the purchase bids, it may reoffer the lands for sale in accordance with this section.

The board also may sell park lands not necessary for district purposes to another political subdivision, the state, or the federal government without giving the notices or taking bids as otherwise required by this section.

No lands acquired by a township park district may be sold without the approval of the court of common pleas of the county in which the park district is located, if the court appointed the board under section 511.18 of the Revised Code, or the approval of the board of township trustees, if the board of township trustees appointed the board of park commissioners under section 511.18 of the Revised Code.

Sec. 511.27. (A) To defray the expenses of the township park district and for ~~the~~ purchasing, appropriating, operating, maintaining, and improving lands for parks or recreational purposes, the ~~township~~ board of park commissioners may levy a sufficient tax within the ten-mill limitation, not to exceed one mill on each dollar of valuation on all real and personal property within the township, and on all real and personal property within any municipal corporation ~~which that~~ is within the township, ~~or which that~~ was within the township at the time that the park district was established, or the boundaries of which are coterminous with or include the township. ~~Such~~ The levy shall be over and above all other taxes and limitations on such property authorized by law.

(B) Except as otherwise provided in division (C) of this section, the ~~township~~ board of park commissioners ~~may~~, not less than seventy-five days before the day of the election, may declare by resolution that the amount of taxes ~~which that~~ may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the district and that it is necessary to levy a tax in excess of ~~such that~~ limitation for the use of the district. The resolution shall specify the purpose for which the taxes shall be used, the annual rate proposed, and the number of consecutive years the levy will be in effect. Upon the adoption of the resolution, the question of levying the taxes shall be submitted to the electors of the township and the electors of any municipal corporation ~~which that~~ is within the township, ~~or which that~~ was within the township at the time that the park district was established, or the boundaries of which are coterminous with or include the township, at a special election to be held on whichever of the following occurs first:

(1) The day of the next ensuing general election;

(2) The first Tuesday after the first Monday in May of any calendar year, except that, if a presidential primary election is held in that calendar year, then the day of that election. ~~The~~

The rate submitted to the electors at any one ~~time~~ election shall not exceed two mills annually upon each dollar of valuation. If a majority of the electors voting upon the question of the levy vote in favor ~~thereof of the~~ levy, the tax shall be levied on all real and personal property within the township and on all real and personal property within any municipal corporation ~~which that~~ is within the township, ~~or which that~~ was within the township at the time that the park district was established, or the boundaries of which are coterminous with or include the township, and ~~such the~~ levy shall be over and above all other taxes and limitations on such property authorized by law.

(C) In any township park district that contains only unincorporated territory ~~and where, if~~ the township board of park commissioners is appointed by the board of township trustees, before a tax can be levied and certified to the county auditor pursuant to section 5705.34 of the Revised Code or before a resolution for a tax levy can be certified to the board of elections pursuant to section 511.28 of the Revised Code, the ~~township~~ board of park commissioners shall receive approval for its levy request from the board of township trustees. The ~~township~~ board of park commissioners shall adopt a resolution requesting the board of township trustees to approve the levy request, stating the annual rate of the proposed levy and the reason for the levy request. On receiving this request, the board of township trustees shall vote on whether to approve the request; and, if a majority votes to approve it, shall issue a resolution approving ~~such a~~ the levy at the requested rate.

Sec. 511.30. (A) In addition to any power granted to township park districts to issue securities under other provisions of the Revised Code, a township park district may issue revenue securities as authorized in this section. For purposes of this section, "securities" has the same meaning as in division (KK) of section 133.01 of the Revised Code.

(B) A township park district may issue revenue securities to fund or refund revenue securities previously issued, or to raise money to pay for and improve parks or recreational facilities.

(C) A township park district shall establish rates, charges, or rents for the use, availability, or rental of the facilities to which the financing relates, which rates, charges, or rents shall be designed to provide revenues to the park district sufficient to pay the costs of all current expenses of the facilities payable by the park district, to pay the debt charges on the securities, and to establish and maintain any contractually required special funds relating to the securities or the facilities.

(D) Revenue securities issued under this section shall not be general obligations of the township park district. The revenue securities shall be secured only by a pledge of and lien upon the revenues of the park district derived from its ownership or operation of the facilities, including the rates, charges, or rents referred to in division (C) of this section and any interest subsidies or debt charges, grants, or other payments by federal or state agencies available for this purpose, and the covenants of the park district to maintain sufficient rates, charges, and rents to produce revenues sufficient to pay all current expenses of the facilities payable by the park district, to pay the debt charges on the securities, and to establish and maintain any contractually required special funds relating to the securities or the facilities.

and, if the securities are anticipatory securities, to issue the revenue securities in anticipation of the issuance of which the securities are issued. Revenue securities also may be secured by a pledge of and lien on the proceeds of any securities issued to fund or refund those revenue securities.

(E) The township park district officers authorized by the board of park commissioners shall execute the necessary documents, including, but not limited to, trust agreements and leases, to provide for the pledge, protection, and disposition of the pledged revenues from which debt charges and any special fund deposits are to be paid.

(F) As long as any of these revenue securities, in either original or refunded form, remain outstanding, except as otherwise provided in the documents referred to in division (E) of this section, all parts of the facilities the revenues from which are pledged shall remain under the control of the board of park commissioners, whether any parts of the facilities are leased to or operated by others or are in or thereafter come within the boundaries of any municipal corporation, and the facilities shall remain subject to the power and duty of the board of park commissioners to fix and collect rates, charges, or rents for the use of facilities.

(G) Sections 9.98 to 9.983 of the Revised Code apply to revenue securities issued under this section.

(H) Revenue securities issued under this section, their transfer, and any income from them, including any profit made on their sale, shall at all times be free from taxation within the state.

(I) The appointing authority of the board of park commissioners of any township park district that proposes to issue revenue securities under this section shall approve that proposal by resolution before the park district issues the revenue securities.

Sec. 511.37. The board of township trustees of any township may make contributions of moneys, lands, supplies, equipment, office facilities, and other personal property or services to any board of park commissioners of a park district that is established pursuant to section 511.18 or Chapter 1545. of the Revised Code and whose territory overlaps the territory of the township in whole or in part, for the ~~expenses~~ purposes of park planning, acquisition, management, and improvement. The board of park commissioners may accept ~~such~~ the contributions without the approval of the terms by the ~~probate judge~~ appointing authority, if applicable.

Any moneys contributed by the board of township trustees for ~~such~~ those purposes shall be drawn from the general fund in the township treasury not otherwise appropriated. The board of township trustees may anticipate the contributions of moneys for ~~such~~ those purposes and enter the

amount of ~~such~~ the contributions in its annual statement to the county budget commission for inclusion in the budget upon which rates of taxation are based.

Sec. 755.16. (A) Any municipal corporation, township, township park district, county, or school district, jointly with ~~any~~ one or more other municipal corporations, townships, township park districts, counties, or school districts, in any combination, and a joint recreation district, may acquire property for, construct, operate, and maintain any parks, playgrounds, playfields, gymnasiums, public baths, swimming pools, indoor recreation centers, or community centers, and any school district may provide by the erection of any school building or school premises, or by the enlargement of, addition ~~thereto~~ to, or reconstruction or improvement ~~thereof~~ of any school building or school premises, for the inclusion of any such parks, recreational facilities, and community centers to be jointly acquired, operated, and maintained. Any municipal corporation, township, township park district, county, or school district, jointly with ~~any~~ one or more other municipal corporations, townships, township park districts, counties, or school districts, in any combination, and a joint recreation district, may equip, operate, and maintain such parks, recreational facilities, and community centers and may appropriate money ~~therefor~~ for them.

Any municipal corporation, township, township park district, county, or school district agreeing to jointly acquire, construct, operate, or maintain parks, recreational facilities, and community centers pursuant to this section may contribute ~~such~~ lands, money, other personal property, or services to the joint venture, as may be agreed upon. Any agreement shall specify the rights of the parties in any lands or personal property contributed.

Any lands acquired by a township park district pursuant to Chapter 511. of the Revised Code and established as a ~~free~~ public park or parks may be contributed to a joint venture authorized by this section, ~~but shall remain free and open for public use, except that fees.~~ Fees may be charged in connection with the use of any recreational facilities and community centers that may be constructed ~~thereon~~ on those lands.

(B) Any township may, jointly with a private land owner, construct, operate, equip, and maintain free public playgrounds and playfields. Any equipment provided by a township pursuant to this division shall remain township property and shall be used subject to a right of removal by the township.

(C) As used in this section and in sections 755.17 and 755.18 of the Revised Code, "community centers" means facilities characterized by all of the following:

(1) They are acquired, constructed, operated, or maintained by political subdivisions, school districts, or a joint recreation district pursuant to division (A) of this section;

(2) They may be used for governmental, civic, or educational operations or recreational activities;

(3) They may be used only by the entities that acquire, construct, operate, or maintain them or by any other person upon terms and conditions determined by those entities.

Sec. 5705.19. This section does not apply to school districts or county school financing districts.

The taxing authority of any subdivision at any time and in any year, by vote of two-thirds of all the members of the taxing authority, may declare by resolution and certify the resolution to the board of elections not less than seventy-five days before the election upon which it will be voted that the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of the subdivision and that it is necessary to levy a tax in excess of that limitation for any of the following purposes:

(A) For current expenses of the subdivision, except that the total levy for current expenses of a detention home district or district organized under section 2151.65 of the Revised Code shall not exceed two mills and that the total levy for current expenses of a combined district organized under sections 2151.34 and 2151.65 of the Revised Code shall not exceed four mills;

(B) For the payment of debt charges on certain described bonds, notes, or certificates of indebtedness of the subdivision issued subsequent to January 1, 1925;

(C) For the debt charges on all bonds, notes, and certificates of indebtedness issued and authorized to be issued prior to January 1, 1925;

(D) For a public library of, or supported by, the subdivision under whatever law organized or authorized to be supported;

(E) For a municipal university, not to exceed two mills over the limitation of one mill prescribed in section 3349.13 of the Revised Code;

(F) For the construction or acquisition of any specific permanent improvement or class of improvements that the taxing authority of the subdivision may include in a single bond issue;

(G) For the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in municipal corporations, counties, or townships;

(H) For recreational purposes;

(I) For the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefor, or sources of water supply and materials therefor, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time, or volunteer firefighters or ~~fire-fighting~~ firefighting companies to operate the same, including the payment of the firefighter employers' contribution required under section 742.34 of the Revised Code, or ~~to the purchase of~~ the purchase of ambulance equipment, or ~~to provide the provision of~~ the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or ~~fire-fighting~~ firefighting company;

(J) For the purpose of providing and maintaining motor vehicles, communications, and other equipment used directly in the operation of a police department, or the payment of salaries of permanent police personnel, including the payment of the police officer employers' contribution required under section 742.33 of the Revised Code, or the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, or ~~to provide the provision of~~ the provision of ambulance or emergency medical services operated by a police department;

(K) For the maintenance and operation of a county home;

(L) For community mental retardation and developmental disabilities programs and services pursuant to Chapter 5126. of the Revised Code, except that the procedure for such levies shall be as provided in section 5705.222 of the Revised Code;

(M) For regional planning;

(N) For a county's share of the cost of maintaining and operating schools, district detention homes, forestry camps, or other facilities, or any combination thereof, established under section 2151.34 or 2151.65 of the Revised Code or both of those sections;

(O) For providing for flood defense, providing and maintaining a flood wall or pumps, and other purposes to prevent floods;

(P) For maintaining and operating sewage disposal plants and facilities;

(Q) For the purpose of purchasing, acquiring, constructing, enlarging, improving, equipping, repairing, maintaining, or operating, or any combination of the foregoing, a county transit system pursuant to sections 306.01 to 306.13 of the Revised Code, or ~~to make of making~~ any payment to a board of county commissioners operating a transit system or a county transit board pursuant to section 306.06 of the Revised Code;

(R) For the subdivision's share of the cost of acquiring or constructing any schools, forestry camps, detention homes, or other facilities, or any

combination thereof, under section 2151.34 or 2151.65 of the Revised Code or both of those sections;

(S) For the prevention, control, and abatement of air pollution;

(T) For maintaining and operating cemeteries;

(U) For providing ambulance service, emergency medical service, or both;

(V) For providing for the collection and disposal of garbage or refuse, including yard waste;

(W) For the payment of the police officer employers' contribution or the firefighter employers' contribution required under sections 742.33 and 742.34 of the Revised Code;

(X) For the construction and maintenance of a drainage improvement pursuant to section 6131.52 of the Revised Code;

(Y) For providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706; or division (EE) of section 717.01 of the Revised Code;

(Z) For the provision and maintenance of zoological park services and facilities as authorized under section 307.76 of the Revised Code;

(AA) For the maintenance and operation of a free public museum of art, science, or history;

(BB) For the establishment and operation of a 9-1-1 system, as defined in section 4931.40 of the Revised Code;

(CC) For the purpose of acquiring, rehabilitating, or developing rail property or rail service. As used in this division, "rail property" and "rail service" have the same meanings as in section 4981.01 of the Revised Code. This division applies only to a county, township, or municipal corporation.

(DD) For the purpose of acquiring property for, constructing, operating, and maintaining community centers as provided for in section 755.16 of the Revised Code;

(EE) For the creation and operation of an office or joint office of economic development, for any economic development purpose of the office, and to otherwise provide for the establishment and operation of a program of economic development pursuant to sections 307.07 and 307.64 of the Revised Code;

(FF) For the purpose of acquiring, establishing, constructing, improving, equipping, maintaining, or operating, or any combination of the foregoing, a township airport, landing field, or other air navigation facility pursuant to section 505.15 of the Revised Code;

(GG) For the payment of costs incurred by a township as a result of a contract made with a county pursuant to section 505.263 of the Revised

Code in order to pay all or any part of the cost of constructing, maintaining, repairing, or operating a water supply improvement;

(HH) For a board of township trustees to acquire, other than by appropriation, an ownership interest in land, water, or wetlands, or to restore or maintain land, water, or wetlands in which the board has ~~such~~ an ownership interest, not for purposes of recreation, but for the purposes of protecting and preserving the natural, scenic, open, or wooded condition of the land, water, or wetlands against modification or encroachment resulting from occupation, development, or other use, which may be styled as protecting or preserving "greenspace" in the resolution, notice of election, or ballot form;

(II) For the support by a county of a crime victim assistance program that is provided and maintained by a county agency or a private, nonprofit corporation or association under section 307.62 of the Revised Code;

(JJ) For any or all of the purposes set forth in divisions (I) and (J) of this section. This division applies only to a township.

(KK) For a countywide public safety communications system under section 307.63 of the Revised Code. This division applies only to counties.

(LL) For the support by a county of criminal justice services under section 307.45 of the Revised Code;

(MM) For the purpose of maintaining and operating a jail or other detention facility as defined in section 2921.01 of the Revised Code;

(NN) For purchasing, maintaining, or improving, or any combination of the foregoing, real estate on which to hold agricultural fairs. This division applies only to a county.

(OO) For constructing, rehabilitating, repairing, or maintaining sidewalks, walkways, trails, bicycle pathways, or similar improvements, or acquiring ownership interests in land necessary for the foregoing improvements, by a board of township trustees;

(PP) For both of the purposes set forth in divisions (G) and (OO) of this section. This division applies only to a township.

(QQ) For both of the purposes set forth in divisions (H) and (HH) of this section. This division applies only to a township.

(RR) For the legislative authority of a municipal corporation, board of county commissioners of a county, or board of township trustees of a township to acquire agricultural easements, as defined in section 5301.67 of the Revised Code, and to supervise and enforce the easements.

The resolution shall be confined to the purpose or purposes described in one division of this section, to which the revenue derived therefrom shall be applied. The existence in any other division of this section of authority to

levy a tax for any part or all of the same purpose or purposes does not preclude the use of such revenues for any part of the purpose or purposes of the division under which the resolution is adopted.

The resolution shall specify the amount of the increase in rate that it is necessary to levy, the purpose ~~thereof~~ of that increase in rate, and the number of years during which the increase in rate shall be in effect, which may or may not include a levy upon the duplicate of the current year. The number of years may be any number not exceeding five, except as follows:

(1) When the additional rate is for the payment of debt charges, the increased rate shall be for the life of the indebtedness.

(2) When the additional rate is for any of the following, the increased rate shall be for a continuing period of time:

(a) For the current expenses for a detention home district, a district organized under section 2151.65 of the Revised Code, or a combined district organized under sections 2151.34 and 2151.65 of the Revised Code;

(b) For providing a county's share of the cost of maintaining and operating schools, district detention homes, forestry camps, or other facilities, or any combination thereof, established under section 2151.34 or 2151.65 of the Revised Code or under both of those sections.

(3) When the additional rate is for any of the following, the increased rate may be for a continuing period of time:

(a) For the purposes set forth in division (I), (J), (U), or (KK) of this section;

(b) For the maintenance and operation of a joint recreation district;

(c) A levy imposed by a township for the purposes set forth in division (G) of this section.

(4) When the increase is for the purpose set forth in division (D) or (CC) of this section or for both of the purposes set forth in divisions (G) and (OO) of this section, the tax levy may be for any specified number of years or for a continuing period of time, as set forth in the resolution.

(5) When the additional rate is for the purpose described in division (Z) of this section, the increased rate shall be for any number of years not exceeding ten.

A levy for the purposes set forth in division (I), (J), or (U) of this section, and a levy imposed by a township for the purposes set forth in division (G) of this section, may be reduced pursuant to section 5705.261 or 5705.31 of the Revised Code. A levy for the purposes set forth in division (I), (J), or (U) of this section, and a levy imposed by a township for the purposes set forth in division (G) of this section, may also be terminated or permanently reduced by the taxing authority if it adopts a resolution stating

that the continuance of the levy is unnecessary and the levy shall be terminated or that the millage is excessive and the levy shall be decreased by a designated amount.

A resolution of a detention home district, a district organized under section 2151.65 of the Revised Code, or a combined district organized under both sections 2151.34 and 2151.65 of the Revised Code may include both current expenses and other purposes, provided that the resolution shall apportion the annual rate of levy between the current expenses and the other purpose or purposes. The apportionment need not be the same for each year of the levy, but the respective portions of the rate actually levied each year for the current expenses and the other purpose or purposes shall be limited by the apportionment.

Whenever a board of county commissioners, acting either as the taxing authority of its county or as the taxing authority of a sewer district or subdistrict created under Chapter 6117. of the Revised Code, by resolution declares it necessary to levy a tax in excess of the ten-mill limitation for the purpose of constructing, improving, or extending sewage disposal plants or sewage systems, the tax may be in effect for any number of years not exceeding twenty, and the proceeds ~~thereof~~ of the tax, notwithstanding the general provisions of this section, may be used to pay debt charges on any obligations issued and outstanding on behalf of the subdivision for the purposes enumerated in this paragraph, provided that any such obligations have been specifically described in the resolution.

The resolution shall go into immediate effect upon its passage, and no publication of the resolution is necessary other than that provided for in the notice of election.

When the electors of a subdivision have approved a tax levy under this section, the taxing authority of the subdivision may anticipate a fraction of the proceeds of the levy and issue anticipation notes in accordance with section 5705.191 or 5705.193 of the Revised Code.

SECTION 2. That existing sections 511.18, 511.19, 511.20, 511.21, 511.22, 511.23, 511.234, 511.241, 511.27, 511.37, 755.16, and 5705.19 and section 511.25 of the Revised Code are hereby repealed.

SECTION 3. Any township park district with a five-member board of park commissioners on the effective date of this act shall be succeeded by a board serving staggered terms of office. Of the appointees whose terms of office commence on the second Monday of May immediately after the effective

date of this act, two shall serve one-year terms, two shall serve two-year terms, and one shall serve a three-year term. Thereafter, terms of office for successive appointees shall be for three years, as provided in division (B) of section 511.19 of the Revised Code as amended by this act.

SECTION 4. For a period of ninety days after the effective date of this act, if the board of park commissioners of a township park district created before 1955 is appointed by the board of township trustees, the board of township trustees may adopt a resolution to convert the parks owned and operated by the park district into parks owned and operated by the township if the township has a population of less than 35,000 and a geographical area of less than fifteen square miles. Upon the adoption of that resolution, the township park district shall cease to exist, all real and personal property owned by the park district shall be transferred to the township, and the township shall assume liability with respect to all contracts and debts of the park district. All employees of the township park district whose parks are so converted into township parks shall become township employees, and the board of township trustees may retain the former park commissioners, on the terms that the trustees consider appropriate, to operate the property formerly owned by the township park district.

The township shall continue to collect any taxes levied within the former township park district, and the taxes shall be deposited into the township treasury as funds to be used for the park purposes for which they were levied.

Within fifteen days after the adoption of a township park district conversion resolution under this section, the clerk of the board of township trustees shall certify a copy of that resolution to the county auditor.

Speaker _____ of the House of Representatives.

President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

Governor.

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

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ___ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____