

**As Reported by the House Local Government and Townships
Committee**

**124th General Assembly
Regular Session
2001-2002**

H. B. No. 143

**REPRESENTATIVES Young, Calvert, Flowers, Hartnett, Latell, Reinhard,
Schaffer, Seitz, Coates, Carano, Sferra, Fessler, Widowfield, Schmidt,
Hughes, White, Roman, Wolpert, Carmichael, Distel, Driehaus, Salerno,
Setzer, Stapleton, Strahorn**

A B I L L

To amend sections 505.371, 505.375, 505.38, 733.68,	1
737.08, and 737.22 and to enact section 9.61 of the	2
Revised Code to specify that state law does not	3
require a municipal corporation fire chief to be a	4
resident or elector of the municipal corporation,	5
does not require a township fire chief to be a	6
resident of the township, and does not require a	7
township fire district fire chief, joint fire	8
district fire chief, or fire and ambulance district	9
fire chief to be a resident of the township fire	10
district, joint fire district, or fire and	11
ambulance district.	12

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

Section 1. That sections 505.371, 505.375, 505.38, 733.68,	13
737.08, and 737.22 be amended and section 9.61 of the Revised Code	14
be enacted to read as follows:	15

<u>Sec. 9.61. (A) "Firefighting agency" means a municipal</u>	16
----------------------------------------------------------------------	----

As Reported by the House Local Government and Townships Committee

corporation, township, township fire district, joint fire 17
district, fire and ambulance district, or other political 18
subdivision that operates a fire department. 19

(B) Nothing in the Revised Code requires, or shall be 20
construed to require, that the fire chief of a firefighting agency 21
reside in the territory of the firefighting agency. 22

Sec. 505.371. (A) The boards of township trustees of one or 23
more townships and the legislative authorities of one or more 24
municipal corporations, or the legislative authorities of two or 25
more municipal corporations, or the boards of township trustees of 26
two or more townships, may, by adoption of a joint resolution by a 27
majority of the members of each board of township trustees and by 28
a majority of the members of the legislative authority of each 29
municipal corporation, create a joint fire district comprising the 30
municipal corporations and all or any portions of the townships as 31
are mutually agreed upon. A joint fire district so created shall 32
be given a name different from the name of any participating 33
township or municipal corporation. 34

(B) The governing body of the joint fire district shall be a 35
board of fire district trustees, which shall include one 36
representative from each board of township trustees and one 37
representative from the legislative authority of each municipal 38
corporation in the district. The board of fire district trustees 39
may exercise the same powers as are granted to a board of township 40
trustees in sections 505.37 to 505.45 of the Revised Code, 41
including, but not limited to, the power to levy a tax upon all 42
taxable property in the fire district as provided in section 43
505.39 of the Revised Code. The board of fire district trustees 44
may be compensated at a rate not to exceed thirty dollars per 45
meeting, not to exceed fifteen meetings per year, and may be 46
reimbursed for all necessary expenses incurred. The board shall 47

As Reported by the House Local Government and Townships Committee

employ a clerk of the board of fire district trustees.

(C)(1) The board of fire district trustees may establish reasonable charges for the use of ambulance or emergency medical services. The board may establish different charges for residents and nonresidents of the district, and may waive, at its discretion, all or part of the charge for any resident of the district. The charge for nonresidents shall be an amount not less than the authorized medicare reimbursement rate, except that if, prior to February 4, 1998, the board had different charges for residents and nonresidents and the charge for nonresidents was less than the authorized medicare reimbursement rate, the board may charge nonresidents less than the authorized medicare reimbursement rate.

(2) In the resolution creating the joint fire district, the political subdivisions that create the district may provide that any of those political subdivisions may agree to pay any charges for the use of ambulance or emergency medical services that the board of fire district trustees establishes under division (C)(1) of this section and that are incurred by the residents of the particular political subdivision. Unless the board elects pursuant to that division to waive all or part of the charges for the use of ambulance or emergency medical services that any resident of the district incurs, the residents of a particular political subdivision that has not so agreed to pay the charges for the use of ambulance or emergency medical services incurred by its residents shall pay those charges.

(3) Charges collected under division (C) of this section shall be kept in a separate fund designated as the ambulance and emergency medical services fund and shall be appropriated and administered by the board. The fund shall be used for the payment of the costs of the management, maintenance, and operation of ambulance and emergency medical services in the district.

As Reported by the House Local Government and Townships Committee

(4) As used in division (C) of this section, "authorized
medicare reimbursement rate" has the same meaning as in section
505.84 of the Revised Code.

(D) Any municipal corporation or township, or parts of them,
may join an existing joint fire district by the adoption of a
resolution requesting such membership and upon approval of the
board of fire district trustees. Any municipal corporation or
township may withdraw from a joint fire district created under
this section, by the adoption of a resolution ordering withdrawal.
On or after the first day of January of the year following the
adoption of the resolution of withdrawal, the municipal
corporation or township withdrawing ceases to be a part of such
district, and the power of the district to levy a tax upon taxable
property in the withdrawing township or municipal corporation
terminates, except that the district shall continue to levy and
collect taxes for the payment of indebtedness within the territory
of the district as it was comprised at the time the indebtedness
was incurred.

Upon the withdrawal of any township or municipal corporation
from a joint fire district created under this section, the county
auditor shall ascertain, apportion, and order a division of the
funds on hand, including funds in the ambulance and emergency
medical services fund, 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 municipal corporation or
township and the remaining territory of the joint fire district.

When the number of townships and municipal corporations
comprising a joint fire district is reduced to one, the joint fire
district ceases to exist by operation of law, and the funds,
credits, and property remaining after apportionments to

As Reported by the House Local Government and Townships Committee

withdrawing municipal corporations or townships shall be assumed
by the one remaining township or municipal corporation. When a
joint fire district ceases to exist and an indebtedness remains
unpaid, the board of county commissioners shall continue to levy
and collect taxes for the payment of ~~such~~ that indebtedness within
the territory of the joint fire district as it was comprised at
the time the indebtedness was incurred.

(E) Neither this section nor any other section of the Revised
Code requires, or shall be construed to require, that the fire
chief of a joint fire district be a resident of the fire district.

Sec. 505.375. (A) The board of a joint ambulance district
created under section 505.71 of the Revised Code and the board of
a joint fire district created under section 505.371 of the Revised
Code may negotiate in accordance with this section to combine
their two joint districts into a single district, called a fire
and ambulance district, for the delivery of both fire and
ambulance services, if the geographic area covered by the
combining joint districts is exactly the same. Both boards shall
adopt a joint resolution ratifying the agreement and setting a
date on which the fire and ambulance district shall come into
being. On that date, the joint fire district and the joint
ambulance district shall cease to exist, and the power of each to
levy a tax upon taxable property shall terminate, except that any
levy of a tax for the payment of indebtedness within the territory
of the joint fire or joint ambulance district as it was composed
at the time the indebtedness was incurred shall continue to be
collected by the successor fire and ambulance district if the
indebtedness remains unpaid.

All funds and other property of the joint districts that
combined into the fire and ambulance district shall become the
property of the fire and ambulance district, unless otherwise

As Reported by the House Local Government and Townships Committee

provided in the negotiated agreement. The agreement shall provide
for the settlement of all debts and obligations of the joint
districts.

(B) The governing body of the fire and ambulance district
shall be a board of trustees of at least three but no more than
nine members, appointed as provided in the agreement creating the
district. Members of the board of trustees may be compensated at a
rate not to exceed thirty dollars per meeting for not more than
fifteen meetings per year, and may be reimbursed for all necessary
expenses incurred, as provided in the agreement creating the
district.

The board shall employ a clerk and ~~such~~ other employees as it
considers best, including a fire chief or fire prevention
officers, and shall fix their compensation. ~~Before~~ Neither this
section nor any other section of the Revised Code requires, or
shall be construed to require, that the fire chief of a fire and
ambulance district be a resident of the district.

Before entering upon the duties of office, the clerk shall
execute a bond, in the amount and with surety to be approved by
the board, payable to the state, conditioned for the faithful
performance of all of the clerk's official duties. The clerk shall
deposit the bond with the presiding officer of the board, who
shall file a copy of it, certified by the presiding officer, with
the county auditor of the county containing the most territory in
the district.

The board shall also provide for the appointment of a fiscal
officer for the district. The board may also enter into agreements
with volunteer fire companies for the use and operation of
fire-fighting equipment. Volunteer firefighters acting under such
an agreement are subject to the requirements for volunteer
firefighters set forth in division (A) of section 505.38 of the
Revised Code.

As Reported by the House Local Government and Townships Committee

Employees of the district shall not be removed from office 175
except as provided by sections 733.35 to 733.39 of the Revised 176
Code, except that, to initiate removal proceedings, the board 177
shall designate a private citizen, or, if the employee is employed 178
as a firefighter, the board may designate the fire chief, to 179
investigate, conduct the proceedings, and prepare the necessary 180
charges in conformity with sections 733.35 to 733.39 of the 181
Revised Code, and except that the board shall perform the 182
functions and duties specified for the municipal legislative 183
authority under those sections. The board may pay reasonable 184
compensation to any private citizen hired for services rendered in 185
the matter. 186

No person shall be appointed as a permanent full-time paid 187
member of the district whose duties include fire fighting, or be 188
appointed as a volunteer firefighter, unless that person has 189
received a certificate issued under former section 3303.07 or 190
section 4765.55 of the Revised Code evidencing satisfactory 191
completion of a firefighter training program. The board may send 192
its officers and firefighters to schools of instruction designed 193
to promote the efficiency of firefighters, and, if authorized in 194
advance, may pay their necessary expenses from the funds used for 195
the maintenance and operation of the district. 196

The board may choose, by adoption of an appropriate 197
resolution, to have the Ohio ambulance licensing board license any 198
emergency medical service organization it operates. If the board 199
adopts such a resolution, Chapter 4766. of the Revised Code, 200
except for sections 4766.06 and 4766.99 of the Revised Code, 201
applies to the organization. All rules adopted under the 202
applicable sections of that chapter also apply to the 203
organization. The board may likewise, by resolution, remove its 204
emergency medical service organization from the jurisdiction of 205
the Ohio ambulance licensing board. 206

As Reported by the House Local Government and Townships Committee

(C) The board may exercise the following powers:	207
(1) Purchase or otherwise provide any fire apparatus,	208
mechanical resuscitators, or other fire or ambulance equipment,	209
appliances, or materials; fire hydrants; and water supply for	210
fire-fighting purposes that seems advisable to the board;	211
(2) Provide for the care and maintenance of equipment and,	212
for that purpose, purchase, lease, or construct and maintain	213
necessary buildings;	214
(3) Establish and maintain lines of fire-alarm communications	215
within the limits of the district;	216
(4) Appropriate land for a fire station or medical emergency	217
unit needed in order to respond in reasonable time to a fire or	218
medical emergency, in accordance with Chapter 163. of the Revised	219
Code;	220
(5) Purchase, appropriate, or accept a deed or gift of land	221
to enlarge or improve a fire station or medical emergency unit;	222
(6) Purchase, lease, maintain, and use all materials,	223
equipment, vehicles, buildings, and land necessary to perform its	224
duties;	225
(7) Contract for a period not to exceed three years with one	226
or more townships, municipal corporations, counties, joint fire	227
districts, governmental agencies, nonprofit corporations, or	228
private ambulance owners located either within or outside the	229
state, to furnish or receive ambulance services or emergency	230
medical services within the several territories of the contracting	231
parties, if the contract is first authorized by all boards of	232
trustees and legislative authorities concerned;	233
(8) Establish reasonable charges for the use of ambulance or	234
emergency medical services under the same conditions under which a	235
board of fire district trustees may establish those charges under	236

As Reported by the House Local Government and Townships Committee

section 505.371 of the Revised Code;	237
(9) Establish all necessary rules to guard against the	238
occurrence of fires and to protect property and lives against	239
damage and accidents;	240
(10) Adopt a standard code pertaining to fire, fire hazards,	241
and fire prevention prepared and promulgated by the state or by a	242
public or private organization that publishes a model or standard	243
code;	244
(11) Provide for charges for false alarms at commercial	245
establishments in the same manner as joint fire districts are	246
authorized to do under section 505.391 of the Revised Code;	247
(12) Issue bonds and other evidences of indebtedness, subject	248
to Chapter 133. of the Revised Code, but only after approval by a	249
vote of the electors of the district as provided by section 133.18	250
of the Revised Code;	251
(13) To provide the services and equipment it considers	252
necessary, levy a sufficient tax, subject to Chapter 5705. of the	253
Revised Code, on all the taxable property in the district.	254
(D) Any municipal corporation or township may join an	255
existing fire and ambulance district by its legislative	256
authority's adoption of a resolution requesting such <u>the</u>	257
membership and upon approval of the board of the district. Any	258
municipal corporation or township may withdraw from a district by	259
its legislative authority's adoption of a resolution ordering	260
withdrawal. Upon its withdrawal, the municipal corporation or	261
township ceases to be a part of the district, and the district's	262
power to levy a tax on taxable property in the withdrawing	263
township or municipal corporation terminates, except that the	264
district shall continue to levy and collect taxes for the payment	265
of indebtedness within the territory of the district as it was	266
composed at the time the indebtedness was incurred.	267

As Reported by the House Local Government and Townships Committee

Upon the withdrawal of any township or municipal corporation 268
 from a district, the county auditor of the county containing the 269
 most territory in the district shall ascertain, apportion, and 270
 order a division of the funds on hand, including funds in the 271
 ambulance and emergency medical services fund, moneys and taxes in 272
 the process of collection, except for taxes levied for the payment 273
 of indebtedness, credits, and real and personal property on the 274
 basis of the valuation of the respective tax duplicates of the 275
 withdrawing municipal corporation or township and the remaining 276
 territory of the district. 277

(E) As used in this section: 278

(1) "Governmental agency" includes all departments, boards, 279
 offices, commissions, agencies, colleges, universities, 280
 institutions, and other instrumentalities of this or another 281
 state. 282

(2) "Emergency medical service organization" has the same 283
 meaning as in section 4766.01 of the Revised Code. 284

Sec. 505.38. (A) In each township or fire district that has a 285
 fire department, the head of ~~such~~ the department shall be a fire 286
 chief, appointed by the board of township trustees, except that, 287
 in a joint fire district, the fire chief shall be appointed by the 288
 board of fire district trustees. The Neither this section nor any 289
other section of the Revised Code requires, or shall be construed 290
to require, that the fire chief be a resident of the township or 291
fire district. 292

The board shall provide for the employment of ~~such~~ 293
 firefighters as it considers best, and shall fix their 294
 compensation. No person shall be appointed as a permanent 295
 full-time paid member, whose duties include ~~firefighting~~ fire 296
fighting, of the fire department of any township or fire district 297
 unless ~~such~~ that person has received a certificate issued under 298

As Reported by the House Local Government and Townships Committee

former section 3303.07 or section 4765.55 of the Revised Code 299
evidencing satisfactory completion of a firefighter training 300
program. ~~Such~~ Those appointees shall continue in office until 301
removed ~~therefrom~~ from office as provided by sections 733.35 to 302
733.39 of the Revised Code. To initiate removal proceedings, and 303
for ~~such~~ that purpose, the board shall designate the fire chief or 304
a private citizen to investigate the conduct and prepare the 305
necessary charges in conformity with sections 733.35 to 733.39 of 306
the Revised Code. 307

In case of the removal of a fire chief or any member of the 308
fire department of a township or fire district, an appeal may be 309
had from the decision of the board to the court of common pleas of 310
the county in which ~~such~~ the township or fire district fire 311
department is situated, to determine the sufficiency of the cause 312
of removal. ~~Such~~ The appeal from the findings of the board shall 313
be taken within ten days. 314

No person who is appointed as a volunteer firefighter of the 315
fire department of any township or fire district ~~after July 1,~~ 316
~~1979,~~ shall remain in ~~such a~~ that position unless either of the 317
following applies: 318

(1) Within one year of the appointment, the person has 319
received a certificate issued under former section 3303.07 of the 320
Revised Code or division (C)(1) or (2) of section 4765.55 of the 321
Revised Code evidencing satisfactory completion of a firefighter 322
training program. 323

(2) The person began serving as a permanent full-time paid 324
firefighter with the fire department of a city or village prior to 325
July 2, 1970, or as a volunteer firefighter with the fire 326
department of a city, village, or other township or fire district 327
prior to July 2, 1979, and receives a certificate issued under 328
division (C)(3) of section 4765.55 of the Revised Code. 329

No person shall receive an appointment under this section 330

As Reported by the House Local Government and Townships Committee

after ~~July 1, 1979~~, in the case of a volunteer firefighter, unless 331
the person has, not more than sixty days prior to receiving ~~such~~ 332
~~the~~ appointment, passed a physical examination, given by a 333
licensed physician, showing that the person meets the physical 334
requirements necessary to perform the duties of the position to 335
which the person is appointed as established by the board of 336
township trustees having jurisdiction over the appointment. The 337
appointing authority shall, prior to making ~~any such an~~ 338
appointment, file with the Ohio police and fire pension fund or 339
the local volunteer fire fighters' dependents fund board a copy of 340
the report or findings of ~~said that~~ licensed physician. The 341
professional fee for ~~such the~~ physical examination shall be paid 342
for by the board of township trustees. 343

(B) In each township not having a fire department, the board 344
of township trustees shall appoint a fire prevention officer who 345
shall exercise all of the duties of a fire chief except those 346
involving the maintenance and operation of fire apparatus. The 347
board of township trustees may appoint one or more deputy fire 348
prevention officers, who shall exercise the duties assigned by the 349
fire prevention officer. 350

The board of township trustees may fix ~~such the~~ compensation 351
for the fire prevention officer and the fire prevention officer's 352
deputies as it considers best. The board of township trustees 353
shall appoint each fire prevention officer and deputy for a 354
one-year term. An appointee may be reappointed at the end of a 355
term to another one-year term. Any appointee may be removed from 356
office during a term as provided by sections 733.35 to 733.39 of 357
the Revised Code. ~~The provisions of section~~ Section 505.45 of the 358
Revised Code ~~extend~~ extends to ~~such those~~ officers. 359

(C) Division (A) of this section shall not apply to any 360
township ~~having that has~~ a population of ten thousand or more 361
persons residing within the township and outside of any municipal 362

As Reported by the House Local Government and Townships Committee

corporation, ~~which that~~ has its own fire department employing ten 363
or more full-time paid employees, and ~~which that~~ has a civil 364
service commission established under division (B) of section 365
124.40 of the Revised Code. ~~Such~~ The township shall comply with 366
the procedures for the employment, promotion, and discharge of 367
firefighters provided by Chapter 124. of the Revised Code, except 368
that the board of township trustees of the township may appoint 369
the fire chief, and any person so appointed shall be in the 370
unclassified service under section 124.11 of the Revised Code and 371
shall serve at the pleasure of the board. Neither this section nor 372
any other section of the Revised Code requires, or shall be 373
construed to require, that the fire chief be a resident of the 374
township. A person who is appointed fire chief under these 375
conditions and who is removed by the board or ~~who~~ resigns from the 376
position is entitled to return to the classified service in the 377
township fire department, in the position held just prior to the 378
appointment as fire chief. The board of township trustees shall 379
determine the number of personnel required and establish salary 380
schedules and conditions of employment not in conflict with 381
Chapter 124. of the Revised Code. No person shall receive an 382
original appointment as a permanent full-time paid member of the 383
fire department of ~~such a~~ the township unless the person has 384
received a certificate issued under former section 3303.07 or 385
section 4765.55 of the Revised Code evidencing the satisfactory 386
completion of a firefighter training program. Persons employed as 387
firefighters in ~~such the~~ township on the date a civil service 388
commission is appointed pursuant to division (B) of section 124.40 389
of the Revised Code shall, without being required to pass a 390
competitive examination or a firefighter training program, retain 391
their employment and any rank previously granted them by action of 392
the board of township trustees or otherwise, but ~~such those~~ 393
persons are eligible for promotion only by compliance with Chapter 394
124. of the Revised Code. 395

As Reported by the House Local Government and Townships Committee

Sec. 733.68. (A) Except as otherwise provided by in division 396
(B) of this section or in another section of the Revised Code, 397
each officer of a municipal corporation, or of any department or 398
board ~~thereof~~ of a municipal corporation, whether elected or 399
appointed as a substitute for a regular officer, shall be an 400
elector of the municipal corporation, and, before entering upon 401
~~his~~ official duties, shall take an oath to support the 402
constitution of the United States and the constitution of this 403
state, and an oath that ~~he~~ the officer will faithfully, honestly, 404
and impartially discharge the duties of ~~his~~ the office to which 405
elected or appointed. ~~Such~~ These provisions as to official oaths 406
shall extend to deputies, but they need not be electors. 407

(B) Neither this section nor any other section of the Revised 408
Code requires, or shall be construed to require, that a city fire 409
chief be an elector of the city or that a village fire chief be an 410
elector of the village. 411

Sec. 737.08. (A) The fire department of each city shall be 412
composed of a chief of the fire department and ~~such~~ other 413
officers, firefighters, and employees ~~as~~ provided for by 414
ordinance. Neither this section nor any other section of the 415
Revised Code requires, or shall be construed to require, that the 416
fire chief be a resident of the city. 417

(B) No person shall, ~~after July 1, 1970,~~ be appointed as a 418
permanent full-time paid member, whose duties include ~~firefighting~~ 419
fire fighting, of the fire department of any city, unless either 420
of the following applies: 421

(1) The person has received a certificate issued under former 422
section 3303.07 of the Revised Code or division (C)(1) or (2) of 423
section 4765.55 of the Revised Code evidencing satisfactory 424
completion of a firefighter training program. 425

As Reported by the House Local Government and Townships Committee

(2) The person began serving as a permanent full-time paid firefighter with the fire department of a village or other city prior to July 2, 1970, and receives a certificate issued under division (C)(3) of section 4765.55 of the Revised Code.

(C) No person who is appointed as a volunteer firefighter of a city fire department ~~after July 1, 1979,~~ shall remain in ~~such a~~ that position, unless either of the following applies:

(1) Within one year of the appointment, the person has received a certificate issued under former section 3303.07 of the Revised Code or division (C)(1) or (2) of section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program.

(2) The person began serving as a permanent full-time paid firefighter with the fire department of a village or other city prior to July 2, 1970, or as a volunteer firefighter with the fire department of a township, fire district, village, or other city prior to July 2, 1979, and receives a certificate issued under division (C)(3) of section 4765.55 of the Revised Code.

(D) The director of public safety shall have the exclusive management and control of ~~such~~ other surgeons, secretaries, clerks, and employees, ~~as are~~ provided for by ordinance or resolution of the legislative authority of ~~such~~ the city.

Sec. 737.22. (A) Each village establishing a fire department shall have a fire chief as the department's head thereof, appointed by the mayor with the advice and consent of the legislative authority of the village, who shall continue in office until removed ~~therefrom~~ from office as provided by sections 733.35 to 733.39 of the Revised Code. Neither this section nor any other section of the Revised Code requires, or shall be construed to require, that the fire chief be a resident of the village.

As Reported by the House Local Government and Townships Committee

In each village not having a fire department, the mayor shall, with the advice and consent of the legislative authority of the village, appoint a fire prevention officer who shall exercise all of the duties of a fire chief except those involving the maintenance and operation of fire apparatus.

The legislative authority of the village may fix ~~such~~ the compensation ~~as~~ it ~~deems~~ considers best. ~~Such~~ The appointee shall continue in office until removed ~~therefrom~~ from office as provided by ~~such~~ sections 733.35 to 733.39 of the Revised Code. ~~The provisions of section~~ Section 737.23 of the Revised Code shall extend to ~~such~~ the officer.

(B) The legislative authority of the village may provide for the appointment of permanent full-time paid firefighters as it ~~deems~~ considers best and fix their compensation, or for the services of volunteer firefighters, who shall be appointed by the mayor with the advice and consent of the legislative authority, and shall continue in office until removed ~~therefrom~~ from office.

(1) No person shall be appointed as a permanent full-time paid firefighter of a village fire department, unless either of the following applies:

(a) The person has received a certificate issued under former section 3303.07 of the Revised Code or division (C)(1) or (2) of section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program.

(b) The person began serving as a permanent full-time paid firefighter with the fire department of a city or other village prior to July 2, 1970, and receives a certificate issued under division (C)(3) of section 4765.55 of the Revised Code.

(2) No person who is appointed as a volunteer firefighter of a village fire department ~~after July 1, 1979,~~ shall remain in ~~such~~ a that position, unless either of the following applies:

As Reported by the House Local Government and Townships Committee

(a) Within one year of the appointment, the person has 487
received a certificate issued under former section 3303.07 or 488
section 4765.55 of the Revised Code evidencing satisfactory 489
completion of a firefighter training program. 490

(b) The person has served as a permanent full-time paid 491
firefighter with the fire department of a city or other village 492
prior to July 2, 1970, or as a volunteer firefighter with the fire 493
department of a city, township, fire district, or other village 494
prior to July 2, 1979, and receives a certificate issued under 495
division (C)(3) of section 4765.55 of the Revised Code. 496

(3) No person shall receive an appointment under this section 497
~~after January 1, 1970, and after July 1, 1979, in the case of a~~ 498
~~volunteer firefighter,~~ unless the person has, not more than sixty 499
days prior to receiving ~~such~~ the appointment, passed a physical 500
examination, given by a licensed physician, showing that the 501
person meets the physical requirements necessary to perform the 502
duties of the position to which the person is to be appointed as 503
established by the legislative authority of the village. The 504
appointing authority shall, prior to making ~~any such~~ an 505
appointment, file with the Ohio police and fire pension fund or 506
the local volunteer fire fighters' dependents fund board a copy of 507
the report or findings of ~~said~~ that licensed physician. The 508
professional fee for ~~such~~ the physical examination shall be paid 509
for by ~~such~~ the legislative authority of the village. 510

Section 2. That existing sections 505.371, 505.375, 505.38, 511
733.68, 737.08, and 737.22 of the Revised Code are hereby 512
repealed. 513

Section 3. Section 505.375 of the Revised Code is presented 514
in this act as a composite of the section as amended by both Am. 515
Sub. S.B. 5 and Am. Sub. S.B. 30 of the 122nd General Assembly. 516

As Reported by the House Local Government and Townships Committee

The General Assembly, applying the principle stated in division 517
(B) of section 1.52 of the Revised Code that amendments are to be 518
harmonized if reasonably capable of simultaneous operation, finds 519
that the composite is the resulting version of the section in 520
effect prior to the effective date of the section as presented in 521
this act. 522