

**As Passed by the Senate**

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

**H. B. No. 245**

**REPRESENTATIVES Evans, Blasdel, Brinkman, Calvert, Cates, Collier,  
Flowers, Hollister, Hoops, Husted, Kearns, Lendrum, Peterson, Raga,  
Reinhard, Roman, Schaffer, Schmidt, Seitz, Setzer, G. Smith, Britton, Sulzer,  
Coates, Sferra, Widowfield, Salerno, Grendell, Hagan, Niehaus, Carmichael,  
Latta, Schneider  
SENATORS Mead, McLin, Spada, Amstutz, Armbruster, Robert Gardner,  
Harris**

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**A B I L L**

To enact section 733.262 of the Revised Code to permit 1  
the offices of village clerk and treasurer to be 2  
combined into an appointed office of village fiscal 3  
officer, and to permit the appointed office to be 4  
subsequently abolished and replaced by the elected 5  
office of village clerk-treasurer. 6

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

**Section 1.** That section 733.262 of the Revised Code be 7  
enacted to read as follows: 8

**Sec. 733.262.** (A) In lieu of having the elected office of 9  
village clerk and the office of village treasurer, or the combined 10  
elected office of village clerk-treasurer, a village may combine 11  
the duties of the clerk and treasurer into one appointed office, 12  
to be known as the village fiscal officer. To make this change, 13  
the village legislative authority shall pass, by a two-thirds 14

vote, an ordinance or resolution proposing to make the change  
effective on the first day of January following the next regular  
municipal election at which the village clerk or village  
clerk-treasurer is to be elected.

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So that no election for the office of village clerk or  
village clerk-treasurer is held after the passage of the ordinance  
or resolution, the village legislative authority shall file a  
certified copy of the ordinance or resolution with the board of  
elections not less than one hundred five days before the day of  
the next succeeding municipal primary election at which candidates  
for the office of village clerk or village clerk-treasurer are to  
be nominated, or, in villages with a population of under two  
thousand in which no petition for a primary election is filed  
under section 3513.01 of the Revised Code or in villages in which  
no primary is held under section 3513.02 of the Revised Code, not  
less than one hundred five days before the next succeeding regular  
municipal election at which the village clerk or village  
clerk-treasurer is to be elected.

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(B) In addition to the circumstances described in division  
(A) of this section, when a vacancy exists in the office of  
village clerk or village clerk-treasurer, the village legislative  
authority may pass, by a two-thirds vote, an ordinance or  
resolution to combine the duties of the clerk and the treasurer  
into the appointed office of village fiscal officer. That change  
shall take effect on the effective date of the ordinance or  
resolution.

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(C) A village fiscal officer appointed under this section  
shall perform the duties provided by law for the village clerk and  
treasurer and any other duties consistent with the nature of the  
office that are provided for by municipal ordinance.

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(D) A village fiscal officer shall be appointed by the mayor  
of the village, but that appointment does not become effective

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until it is approved by a majority vote of the village legislative authority. The village fiscal officer need not be an elector of the village or reside in the village at the time of appointment; however, the fiscal officer shall become a resident of the village within six months after the appointment takes effect, unless an ordinance is passed approving the fiscal officer's residence outside of the village.

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The village fiscal officer may be removed without cause either by the mayor with the consent of a majority of the members of the village legislative authority or by a three-fourths vote of the village legislative authority with or without the consent of the mayor.

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(E) The legislative authority of a village that has a village fiscal officer may abolish that appointed office and return to an elected office of village clerk-treasurer by passing an ordinance or resolution by a two-thirds vote.

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If a vacancy exists in the office of village fiscal officer when this ordinance or resolution is passed, the abolition shall take effect on the effective date of the ordinance or resolution, and the mayor shall appoint a village clerk-treasurer to serve until the first day of April following the next regular municipal election at which a clerk-treasurer can be elected. So an election can be held, the village legislative authority shall file a certified copy of the ordinance or resolution with the board of elections not less than one hundred five days before the day of the next succeeding municipal primary election.

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If a vacancy does not exist in the office of village fiscal officer when the abolishing ordinance or resolution is passed, the village legislative authority shall certify a copy of the ordinance or resolution to the board of elections not less than one hundred five days before the day of the next succeeding municipal primary election.

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The person elected at the next regular municipal election as 79  
village clerk-treasurer under the circumstances described in this 80  
division shall serve a four-year term commencing on the first day 81  
of April following that election. 82