

As Introduced

124th General Assembly
Regular Session
2001-2002

S. B. No. 192

SENATOR Robert Gardner

A BILL

To amend section 3301.02 of the Revised Code to
abolish the requirement that the State Board of
Education be dissolved and recreated following the
creation of new State Board of Education districts,
to specify that members of the Board as of the time
new districts are created shall represent their
assigned districts for the term for which they were
originally elected, and to declare an emergency.

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

Section 1. That section 3301.02 of the Revised Code be
amended to read as follows:

Sec. 3301.02. (A) Elected voting members of the state board
of education ~~as of the date of a change in district boundaries~~
~~pursuant to legislation enacted by the general assembly or~~
~~division (B)(2) of section 3301.01 of the Revised Code shall~~
~~continue in office until their successors are elected and~~
~~qualified for office, at which time the board whose successors~~
~~have been so qualified shall be dissolved. At the first regular~~
~~state election that occurs after a change in the boundaries of~~
~~state board of education districts, in conformity with the general~~
~~election laws of this state, one board member shall be elected~~

~~from each state board of education district for a term of office 21
beginning the first day of January immediately following such 22
election. The term of office of each elected member shall be 23
determined by lot at the initial organization meeting of the 24
board. The elected members shall by lot select six elected 25
members, each of whom shall serve for a term of four years or 26
until a successor is elected and qualified, and the remaining 27
elected members shall each serve for a term of two years or until 28
a successor is elected and qualified. 29~~

~~(B) At each subsequent regular state election, in conformity 30
with the general election laws of this state, the elected members 31
shall be elected as required by expiration of respective terms, 32
each for a term of four years or until a successor is elected and 33
qualified. One elected member shall be elected from each district 34
respectively in which the term of office of a board member expires 35
on the first day of January following the election ~~except that,~~ 36
~~when the boundaries of state board of education districts are 37
changed pursuant to legislation enacted by the general assembly or 38
division (B)(2) of section 3301.01 of the Revised Code, division 39
(A) of this section shall govern the election. The term of office 40
of each member so elected shall begin on the first day of January 41
immediately following this election. 42~~~~

(B) At any time the boundaries of state board of education 43
districts are changed, under division (B) of section 3301.01 of 44
the Revised Code, a member of the state board whose term will not 45
expire within two years of the time the change in boundaries is 46
made shall represent, for the remainder of the term for which the 47
member was elected, the state board district containing the 48
largest portion of the population of the district from which the 49
member was elected. If more than one member whose term will not so 50
expire would represent the same district under the provisions of 51
this section, either the general assembly, if the general assembly 52

enacted legislation establishing those districts under division 53
(B)(2) of section 3301.01 of the Revised Code, or the governor, if 54
the governor designated the boundaries of the districts under that 55
division, shall designate which member shall represent each 56
district for the balance of the members' terms. 57

(C) Appointed voting members of the board shall serve 58
four-year terms beginning the first day of January and ending on 59
the thirty-first day of December. Except as provided in division 60
(D) of this section, members may be reappointed. 61

(D) No person, elected or appointed, shall hold the office of 62
member of the state board of education for a period of longer than 63
two successive terms of four years. Terms shall be considered 64
successive unless separated by a period of four or more years. 65
Only terms beginning on or after January 1, 1996, shall be 66
considered in determining an individual's eligibility to hold 67
office. 68

Section 2. That existing section 3301.02 of the Revised Code 69
is hereby repealed. 70

Section 3. This act is hereby declared to be an emergency 71
measure necessary for the immediate preservation of the public 72
peace, health, and safety. The reason for such necessity is that 73
the State Board of Education otherwise will be dissolved and 74
recreated upon the establishment of new districts, thereby 75
requiring an election of all elected members in 2002. Therefore, 76
this act shall go into immediate effect. 77