

**As Reported by the Senate State and Local Government and  
Veterans Affairs Committee**

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

**S. B. No. 192**

**SENATOR Robert Gardner**

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**A B I L L**

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~~

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~~election laws of this state, one board member shall be elected 20  
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

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

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

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

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is hereby repealed.

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

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