

**As Passed by the Senate**

**125th General Assembly  
Regular Session  
2003-2004**

**H. B. No. 367**

**Representatives Distel, Redfern, Hartnett, Collier, Otterman, Kearns, Sferra,  
Key, Carano, Strahorn, Harwood, Raussen, Wolpert, Cirelli, Domenick,  
Chandler, Flowers, McGregor, Walcher, Barrett, Beatty, Bocchieri, Book,  
Brown, Callender, Carmichael, DeGeeter, Driehaus, C. Evans, Hagan,  
Hollister, Hughes, Jerse, Koziura, Mason, Miller, Niehaus, Oelslager,  
S. Patton, Perry, Price, Reidelbach, Seaver, Setzer, Skindell, D. Stewart,  
Sykes, Ujvagi, Widener, Wilson, Woodard, Yates  
Senators Robert Gardner, Dann, Schuring, White**

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**A B I L L**

To amend section 1545.05 of the Revised Code to 1  
permit any metropolitan park district to expand 2  
its board of park commissioners permanently from a 3  
three-member to a five-member board. 4

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

**Section 1.** That section 1545.05 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 1545.05.** (A) Upon the creation of a park district, the 7  
probate judge shall appoint three commissioners who shall take 8  
office immediately and whose terms shall expire one, two, and 9  
three years, respectively, from the first day of January next 10  
after the date of their appointment, ~~and thereafter.~~ Thereafter, 11  
their successors shall be appointed by ~~such~~ the probate judge for 12  
terms of three years. Before entering upon the performance of ~~his~~ 13

the duties of the office, each commissioner shall take an oath to 14  
perform faithfully the duties of ~~his~~ the office, and shall give 15  
bond for ~~the~~ that faithful performance ~~of the duties of his office~~ 16  
in the sum of five thousand dollars. ~~Such~~ The bond shall be 17  
approved by and filed with the county auditor. ~~Such~~ The 18  
commissioners shall serve without compensation, but shall be 19  
allowed their actual and necessary expenses incurred in the 20  
performance of their duties. 21

(B) Any board of park commissioners of a park district may 22  
elect to expand the membership of the board from three members to 23  
five members upon a majority vote of the board. Upon such a vote, 24  
the board shall certify to the probate judge a resolution 25  
requesting the judge to appoint two additional members to the 26  
board. The probate judge shall appoint those additional members, 27  
and they shall take office immediately upon their appointment. One 28  
member shall be appointed to a term that expires on the first day 29  
of January of the year following the year of that member's 30  
appointment, and one member shall be appointed to a term that 31  
expires on the first day of January of the second year following 32  
the year of that member's appointment. Thereafter, their 33  
successors shall be appointed by the probate judge for terms of 34  
three years. 35

**Section 2.** That existing section 1545.05 of the Revised Code 36  
is hereby repealed. 37