

**As Introduced**

**126th General Assembly  
Regular Session  
2005-2006**

**H. B. No. 76**

**Representative Trakas**

—

**A BILL**

To amend section 733.48 of the Revised Code to permit  
the electors of a statutory village to vote on a  
question to authorize the mayor to appoint the  
village solicitor with the advice and consent of  
the village's legislative authority.

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

**Section 1.** That section 733.48 of the Revised Code be amended  
to read as follows:

**Sec. 733.48.** ~~When~~ (A) Except as provided in division (B) of  
this section, when it ~~deems~~ considers it necessary, the  
legislative authority of a village may provide legal counsel for  
the village, or for any department or official ~~thereof~~ of the  
village, for a period not to exceed two years, and may provide  
compensation for ~~such~~ the legal counsel.

(B) A petition may be filed with the village clerk, signed by  
registered electors residing in the village equal in number to not  
less than ten per cent of the total vote cast for all candidates  
for governor in the village at the most recent general election at  
which a governor was elected, requesting that the question be  
placed before the electors whether, instead of the legislative  
authority appointing legal counsel for the village or for any

department or official of the village, the mayor shall appoint the  
legal counsel with the advice and consent of the legislative  
authority. Within two weeks after receipt of the petition, the  
clerk shall certify it to the board of elections, which shall  
determine its sufficiency and validity. The petition shall be  
certified to the board not less than seventy-five days prior to  
the election at which the question is to be voted upon.

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At the election, if a majority of the electors of the village  
approves the question, then effective immediately when the mayor  
considers it necessary, the mayor may appoint, with the advice and  
consent of the legislative authority, legal counsel for the  
village, or for any department or official of the village, for a  
period not to exceed two years. The legislative authority shall  
provide compensation for the legal counsel.

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**Section 2.** That existing section 733.48 of the Revised Code  
is hereby repealed.

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