

**As Passed by the House**

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

**Sub. S. B. No. 82**

**Senators Grendell, Jacobson, Brady, Mumper  
Representatives Wolpert, Bulp, Brinkman, Yuko, Fende, Domenick, Uecker,  
Walcher, Collier, Blessing, Cassell, Chandler, Evans, D., Flowers, Hagan,  
Hartnett, Hughes, Kilbane, Law, Oelslager, Patton, T., Perry, Peterson,  
Redfern, Reidelbach, Sayre, Schneider, Seitz, Stewart, D., Taylor, Woodard**

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**A B I L L**

To enact section 9.481 of the Revised Code to  
generally prohibit political subdivisions from  
imposing residency requirements on certain  
employees.

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

**Section 1.** That section 9.481 of the Revised Code be enacted  
to read as follows:

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**Sec. 9.481.** (A) As used in this section:

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(1) "Political subdivision" has the same meaning as in  
section 2743.01 of the Revised Code.

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(2) "Volunteer" means a person who is not paid for service or  
who is employed on less than a permanent full-time basis.

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(B)(1) Except as otherwise provided in division (B)(2) of  
this section, no political subdivision shall require any of its  
employees, as a condition of employment, to reside in any specific  
area of the state.

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(2)(a) Division (B)(1) of this section does not apply to a 16  
volunteer. 17

(b) To ensure adequate response times by certain employees of 18  
political subdivisions to emergencies or disasters while ensuring 19  
that those employees generally are free to reside throughout the 20  
state, the electors of any political subdivision may file an 21  
initiative petition to submit a local law to the electorate, or 22  
the legislative authority of the political subdivision may adopt 23  
an ordinance or resolution, that requires any individual employed 24  
by that political subdivision, as a condition of employment, to 25  
reside either in the county where the political subdivision is 26  
located or in any adjacent county in this state. For the purposes 27  
of this section, an initiative petition shall be filed and 28  
considered as provided in sections 731.28 and 731.31 of the 29  
Revised Code, except that the fiscal officer of the political 30  
subdivision shall take the actions prescribed for the auditor or 31  
clerk if the political subdivision has no auditor or clerk, and 32  
except that references to a municipal corporation shall be 33  
considered to be references to the applicable political 34  
subdivision. 35

(C) Except as otherwise provided in division (B)(2) of this 36  
section, employees of political subdivisions of this state have 37  
the right to reside any place they desire. 38

**Section 2.** In enacting section 9.481 of the Revised Code in 39  
this act, the General Assembly hereby declares its intent to 40  
recognize both of the following: 41

(A) The inalienable and fundamental right of an individual to 42  
choose where to live pursuant to Section 1 of Article I, Ohio 43  
Constitution. 44

(B) Section 34 of Article II, Ohio Constitution, specifies 45

that laws may be passed providing for the comfort, health, safety, 46  
and general welfare of all employees, and that no other provision 47  
of the Ohio Constitution impairs or limits this power, including 48  
Section 3 of Article XVIII, Ohio Constitution. 49

**Section 3.** The General Assembly finds, in enacting section 50  
9.481 of the Revised Code in this act, that it is a matter of 51  
statewide concern to generally allow the employees of Ohio's 52  
political subdivisions to choose where to live, and that it is 53  
necessary to generally prohibit political subdivisions from 54  
requiring their employees, as a condition of employment, to reside 55  
in any specific area of the state in order to provide for the 56  
comfort, health, safety, and general welfare of those public 57  
employees. 58