

AN ACT

To amend sections 305.09, 305.10, 305.11, and 5502.31 of the Revised Code to allow boards of county commissioners to maintain meeting records by electronic means and to specify an additional type of Emergency Management Agency for which a political subdivision may make an appropriation.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 305.09, 305.10, 305.11, and 5502.31 of the Revised Code be amended to read as follows:

Sec. 305.09. All the proceedings of the board of county commissioners shall be public, at the office provided for the board in the county seat, or at another location, as provided in division (B) of section 305.06 or division (B) of section 305.07 of the Revised Code, and, as far as possible, shall be in conformity with the rules of parliamentary law.

If the clerk of the board maintains the full record of the proceedings by electronic means, the chairperson of the board, prior to complying with section 305.11 of the Revised Code, shall announce that the record is being maintained in such a manner and, during the proceedings, shall ensure that each person self-identifies prior to speaking during the proceedings.

Sec. 305.10. ~~The (A) Except as otherwise provided in division (B) of this section, the~~ clerk of the board of county commissioners shall keep a full written record of the proceedings of the board, and a written general index of ~~such those~~ proceedings, entering each motion with the name of the person making it on the record. ~~He~~ The clerk shall call and record the yeas and nays on each motion ~~which involves the levying of taxes or appropriation or payment of money.~~ ~~He~~ The clerk shall state fully and clearly in the record any question relating to the powers and duties of the board which is raised for its consideration by any person having an interest therein, together with the decision on such question, and shall call and record the yeas and nays by which the decision is made. When requested by a party interested in the proceedings or by ~~his~~ a party's counsel, the clerk shall record any legal proposition decided by the board, the decision thereon, and the votes by

which the decision is reached. If either party, in person or by counsel, ~~except~~ takes exception to such decision, the clerk shall record the exceptions with the record of the decision.

(B) A board of county commissioners may elect to maintain a full record of its proceedings by electronic means, including, but not limited to, those listed in section 9.01 of the Revised Code, by adopting a resolution that directs the clerk to maintain a full record of the proceedings by electronic means. The clerk also shall maintain a general index of the electronic record in either a written form or by electronic means, as determined by the board in its resolution. The board's resolution also may authorize the clerk to maintain a written summary of the record of the proceedings, provided that the summary shall include a notation that the full record of proceedings is maintained by electronic means. If the electronic means malfunctions, the clerk shall create the full written record of the proceedings as described in division (A) of this section.

Sec. 305.11. Immediately upon the opening of each day's session of the board of county commissioners, the records of the proceedings of the session of the previous day shall be read, or provided to each commissioner in written form, by the clerk of the board and, if correct, approved and signed by the commissioners. In the alternative, if the clerk maintains the full record of the proceedings by electronic means as authorized by division (B) of section 305.10 of the Revised Code, the board shall orally approve the electronic record of proceedings at the previous meeting after the clerk certifies that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings. When the board is not in session, the record of proceedings shall be kept in the county auditor's office or, if the county has a full-time clerk, in the county commissioners' office, open at all proper times to public inspection. It shall be certified by the president and clerk of the board and shall be received as evidence in every court in the state.

Sec. 5502.31. Each political subdivision may make appropriations for the payment of the expenses of its local activities for emergency management ~~and for the payment of the expenses incurred by an agency established pursuant to section 5502.271 of the Revised Code or chargeable to that political subdivision by agreement in any county wherein a countywide agency or regional authority for emergency management has been established pursuant to section 5502.26 of the Revised Code or a regional authority has been established pursuant to section 5502.27 of the Revised Code, respectively.~~

SECTION 2. That existing sections 305.09, 305.10, 305.11, and 5502.31 of the Revised Code are hereby repealed.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Am. Sub. S. B. No. 84

127th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____