

As Introduced

**128th General Assembly
Regular Session
2009-2010**

H. B. No. 541

Representatives Foley, Stautberg

**Cosponsors: Representatives Hagan, Skindell, Walter, Blair, Weddington,
Murray, DeGeeter, Letson, Harwood, Hollington, Patten, Yuko, Hottinger,
Sears, Pryor, Harris**

—

A B I L L

To enact section 715.021 of the Revised Code to 1
generally authorize municipal corporations and 2
other political subdivisions to enter into 3
agreements to perform services for one another. 4

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

Section 1. That section 715.021 of the Revised Code be 5
enacted to read as follows: 6

Sec. 715.021. (A)(1) When authorized by their respective 7
legislative authorities, any municipal corporation may enter into 8
an agreement with any other municipal corporation or with the 9
legislative authority of any township, port authority, water or 10
sewer district, school district, library district, health 11
district, park district, soil and water conservation district, 12
water conservancy district, or other taxing district, or with the 13
board of county commissioners of any county, and such legislative 14
authorities may enter into agreements with any municipal 15
corporation, whereby the municipal corporation agrees to exercise 16
any power, perform any function, or render any service for the 17

contracting subdivision, that the municipal corporation is 18
otherwise legally authorized to exercise, perform, or render, or 19
whereby the legislative authority of any such contracting 20
subdivision agrees to exercise any power, perform any function, or 21
render any service for the municipal corporation that the 22
contracting subdivision is otherwise legally authorized to 23
exercise, perform, or render. 24

(2) In the absence in the agreement of provisions determining 25
by what officer, office, department, agency, or authority the 26
powers and duties of the municipal corporation shall be exercised 27
or performed, the legislative authority of the municipal 28
corporation shall determine and assign such powers and duties. In 29
the absence in the agreement of provisions determining by what 30
officer, office, department, agency, or authority the powers and 31
duties of any contracting subdivision shall be exercised or 32
performed, the legislative authority of such contracting 33
subdivision shall determine and assign such powers and duties. Any 34
agreement authorized by this section shall not suspend the 35
possession by a contracting subdivision of any power or function 36
exercised or performed by the municipal corporation, or the 37
possession by a municipal corporation of any power or function 38
exercised or performed by the contracting subdivision, in 39
pursuance of the agreement. 40

(B) No municipal corporation or political subdivision shall 41
enter into any agreement pursuant to division (A) of this section 42
to levy any tax or to exercise, with regard to public moneys, any 43
investment powers, perform any investment function, or render any 44
investment service on behalf of a contracting subdivision. 45

(C) Chapter 2744. of the Revised Code, insofar as it applies 46
to the operation of a political subdivision, applies to the 47
political subdivisions that are parties to an agreement authorized 48
by this section and to their employees when they are rendering a 49

service outside the boundaries of their employing political 50
subdivision under such an agreement. Employees acting outside the 51
boundaries of their employing political subdivision while 52
providing a service under an agreement authorized by this section 53
may participate in any pension or indemnity fund established by 54
the political subdivision to the same extent as while acting 55
within the boundaries of the political subdivision, and are 56
entitled to all the rights and benefits of Chapter 4123. of the 57
Revised Code, to the same extent as while they are performing a 58
service within the boundaries of the political subdivision. 59