

As Introduced

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

H. B. No. 54

Representative Morgan

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A B I L L

To amend section 1515.29 and to enact section 1
6137.112 of the Revised Code to allow a board of 2
county commissioners to adjust the permanent base 3
of a ditch improvement that is used for 4
maintenance fund assessments and to allow a board 5
to use certain ditch maintenance procedures to 6
maintain soil and water conservation district 7
improvements. 8

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

Section 1. That section 1515.29 be amended and section 9
6137.112 of the Revised Code be enacted to read as follows: 10

Sec. 1515.29. The board of county commissioners, or, if a 11
joint board of county commissioners has been created under section 12
1515.22 of the Revised Code, the joint board, shall maintain the 13
works of improvement constructed by the board for a soil and water 14
conservation district⁷. For that purpose, the board or joint board 15
may use procedures and requirements established in sections 16
6137.08 to 6137.14 of the Revised Code and may contract with or 17
authorize the supervisors or joint board of supervisors of a soil 18
and water conservation district to perform maintenance of such 19
works of improvement. 20

Sec. 6137.112. At the time that the board of county 21
commissioners reviews the permanent base of an improvement for 22
maintenance fund assessments after six annual maintenance fund 23
assessments have been made as provided in section 6137.11 of the 24
Revised Code, the board may request the county engineer to 25
estimate the construction cost of the improvement if that 26
improvement were to be constructed at the time of the permanent 27
base review. The board of county commissioners, by resolution, may 28
approve the estimate as the construction cost of the improvement 29
in lieu of the original construction cost of the improvement. If 30
approved, the estimate of construction cost shall be the permanent 31
base that is used to calculate maintenance fund assessments for 32
owners benefiting from the improvement. The approved estimate of 33
construction cost shall serve as the permanent base for the 34
purposes of this chapter until such time as it is revised in 35
accordance with this section. 36

Section 2. That existing section 1515.29 of the Revised Code 37
is hereby repealed. 38