

**As Passed by the House**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 347**

**Representative Anielski**

**Cosponsors: Representatives Hall, Huffman, Stebelton, Baker, Barnes,  
Beck, Blair, Blessing, Buchy, Combs, Grossman, Hackett, Matheney,  
Newbold, Roegner, Rose, Ruhl, Sears, Slaby**

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**A B I L L**

To amend section 731.09 and to enact section 731.091 1  
of the Revised Code to authorize the legislative 2  
authority of a statutory nonchartered village to 3  
be composed of five instead of six members and to 4  
authorize the terms of office to be nonstaggered. 5

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

**Section 1.** That section 731.09 be amended and section 731.091 6  
of the Revised Code be enacted to read as follows: 7

**Sec. 731.09.** ~~The~~ (A) Except as otherwise provided in division 8  
(B) or (C) of this section, the legislative power of each village 9  
shall be vested in, and exercised by, a legislative authority, 10  
composed of six members, who shall be elected by the electors of 11  
the village at large, for terms of four years. At the municipal 12  
election held in the year 1961 two members shall be elected for 13  
terms of two years and four members shall be elected for terms of 14  
four years. Except in villages where a primary election was held 15  
in 1961 for the nomination of candidates for member of the 16  
legislative authority, the four candidates who receive the 17

greatest number of votes cast shall be elected for terms of four 18  
years, and the two candidates who receive the next greatest number 19  
of the votes cast shall be elected for terms of two years. 20

All candidates nominated prior to June 8, 1961, except by 22  
primary election, shall have their names grouped together on the 23  
election ballot regardless of whether their nominating petition or 24  
declaration of candidacy designated that they were candidates for 25  
a two-year or a four-year term. 26

At the municipal election in 1963 and quadrennially 27  
thereafter, two members shall be elected for terms of four years. 28

At the municipal election in 1965 and quadrennially 29  
thereafter, four members shall be elected for terms of four years. 30

Beginning with the year 1964, all members of village council 31  
shall hold office for a term of four years. 32

(B) The legislative authority of a village may adopt an 33  
ordinance or resolution that, if approved by a majority of the 34  
electors voting on the issue, would reduce the number of members 35  
of the legislative authority to five. A certified copy of the 36  
ordinance or resolution shall be filed with the board of elections 37  
no later than four p.m. of the ninetieth day before the day of the 38  
next election at which members of the legislative authority are to 39  
be elected. 40

(C) The electors may propose a reduction in the number of 41  
members of the legislative authority from six to five by 42  
initiative petition in accordance with the procedure set forth in 43  
section 731.28 of the Revised Code. 44

(D) If a majority of the votes cast on the question proposed 45  
under division (B) or (C) of this section is in the affirmative, 46  
the legislative authority shall be composed of five members, who 47  
shall be elected at large, for terms of four years. If members of 48

the legislative authority have staggered terms of office as 49  
required by this section, the decrease in number of members shall 50  
be implemented as necessary over the next two municipal elections 51  
at which members of the legislative authority would be elected. If 52  
the legislative authority has adopted an ordinance or resolution 53  
to eliminate staggered terms of office under section 731.091 of 54  
the Revised Code, the five members shall be elected as set forth 55  
in division (B)(2) of that section. 56

**Sec. 731.091.** (A) The legislative authority of a village may, 57  
by the adoption of an ordinance or resolution to eliminate 58  
staggered terms of office, determine that all members of the 59  
legislative authority shall be elected at the same municipal 60  
election as provided for in this section. 61

(B) At the regular municipal election occurring not less than 62  
ninety days after the certification of the ordinance or resolution 63  
to the board of elections eliminating staggered terms of office, 64  
the following apply: 65

(1) If there are six members of the legislative authority, 66  
three members shall be elected at the next regular municipal 67  
election for two year nonstaggered terms and all members of the 68  
legislative authority shall be elected to four year nonstaggered 69  
terms at all following municipal elections. 70

(2) If there are five members of the legislative authority, 71  
three members shall be elected at the next municipal election for 72  
two year terms and all members shall be elected to four year 73  
nonstaggered terms at all following municipal elections. 74

**Section 2.** That existing section 731.09 of the Revised Code 75  
is hereby repealed. 76