

As Passed by the Senate

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Sub. 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
Senators Eklund, Hughes, Jones, Manning, Patton, Seitz, Wagoner**

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A B I L L

To amend sections 122.12, 122.121, 505.60, and 731.09 1
and to enact section 731.091 of the Revised Code 2
to authorize the legislative authority of a 3
statutory nonchartered village to be composed of 4
five instead of six members and to authorize the 5
terms of office to be nonstaggered, to restrict 6
the types of competitive events that qualify for 7
state grants based on projected incremental 8
increases in sales tax receipts, and to authorize 9
townships to reimburse officers and employees for 10
out-of-pocket insurance premiums attributable to 11
coverage provided for their immediate dependents. 12

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

Section 1. That sections 122.12, 122.121, 505.60, and 731.09 13
be amended and section 731.091 of the Revised Code be enacted to 14
read as follows: 15

Sec. 122.12. As used in this section and in section 122.121 16

of the Revised Code: 17

(A) "Endorsing county" means a county that contains a site 18
selected by a site selection organization for one or more games. 19

(B) "Endorsing municipality" means a municipal corporation 20
that contains a site selected by a site selection organization for 21
one or more games. 22

(C) "Game support contract" means a joinder undertaking, 23
joinder agreement, or similar contract executed by an endorsing 24
municipality or endorsing county and a site selection 25
organization. 26

(D) "Game" means a national ~~football league "super bowl," a~~ 27
~~national collegiate athletic association championship game or~~ 28
~~match, the national basketball association all star game, the~~ 29
~~national hockey league all star game, the major league baseball~~ 30
~~all star game, a national collegiate athletic association bowl~~ 31
~~championship series game, a world cup soccer game, a national~~ 32
~~association for stock car auto racing race, the national senior~~ 33
~~games, the air New Zealand golden oldies world rugby festival, the~~ 34
~~golden gloves of America, inc., national golden gloves tournament,~~ 35
~~the USA boxing association national championships, the~~ 36
~~international boxing association world cup or world championships,~~ 37
or the olympic or international competition of football, auto 38
racing, rugby, cricket, horse racing, mixed martial arts, or any 39
sport that is governed by an international federation and included 40
in at least one of the following: 41

(1) Olympic games; 42

(2) Pan American games; 43

(3) Commonwealth games. 44

(E) "Joinder agreement" means an agreement entered into by ~~an~~ 45
a local organizing committee, endorsing municipality, or endorsing 46

county, or more than one endorsing municipality or county acting 47
collectively and a site selection organization setting out 48
representations and assurances by each endorsing municipality or 49
endorsing county in connection with the selection of a site in 50
this state for the location of a game. 51

(F) "Joinder undertaking" means an agreement entered into by 52
~~an a local organizing committee,~~ endorsing municipality, or 53
endorsing county, or more than one endorsing municipality or 54
county acting collectively and a site selection organization that 55
each endorsing municipality or endorsing county will execute a 56
joinder agreement in the event that the site selection 57
organization selects a site in this state for a game. 58

(G) "Local organizing committee" means a nonprofit 59
corporation or its successor in interest that: 60

(1) Has been authorized by an endorsing municipality, 61
endorsing county, or more than one endorsing municipality or 62
county acting collectively to pursue an application and bid on the 63
applicant's behalf to a site selection organization for selection 64
as the site of one or more games; or 65

(2) With the authorization of an endorsing municipality, 66
endorsing county, or more than one endorsing municipality or 67
county acting collectively, has executed an agreement with a site 68
selection organization regarding a bid to host one or more games. 69

(H) "Site selection organization" means the ~~national football~~ 70
~~league, the national collegiate athletic association, the national~~ 71
~~basketball association, the national hockey league, major league~~ 72
~~baseball, the federation internationale de football association,~~ 73
~~the international world games association, the United States~~ 74
~~olympic committee, the national association for stock car auto~~ 75
~~racing, the national senior games association, the air New Zealand~~ 76
~~golden oldies world rugby secretariat, golden gloves of America,~~ 77

inc., the USA boxing association, the international boxing 78
association, or the national or international governing body of a 79
sport that is recognized as such by the ~~United States olympic~~ 80
~~committee~~ endorsing municipality, endorsing county, or local 81
organizing committee. 82

Sec. 122.121. (A) If ~~an~~ a local organizing committee, 83
endorsing municipality, or endorsing county enters into a joinder 84
undertaking with a site selection organization, the local 85
organizing committee, endorsing municipality, or endorsing county 86
may apply to the director of development, on a form and in the 87
manner prescribed by the director, for a grant based on the 88
projected incremental increase in the receipts from the tax 89
imposed under section 5739.02 of the Revised Code within the 90
market area designated under division (C) of this section, for the 91
two-week period that ends at the end of the day after the date on 92
which a game will be held, that is directly attributable, as 93
determined by the director, to the preparation for and 94
presentation of the game. The director shall determine the 95
projected incremental increase in the tax imposed under section 96
5739.02 of the Revised Code ~~from information certified to the~~ 97
~~director by the endorsing municipality or the endorsing county~~ 98
~~including, but not limited to, historical attendance and ticket~~ 99
~~sales for the game, income statements showing revenue and~~ 100
~~expenditures for the game in prior years, attendance capacity at~~ 101
~~the proposed venues, event budget at the proposed venues, and~~ 102
~~projected lodging room nights based on historical attendance,~~ 103
~~attendance capacity at the proposed venues, and duration of the~~ 104
~~game and related activities~~ by using a formula approved by the 105
destination marketing association international for event impact 106
or another formula of similar purpose approved by the director. 107
The local organizing committee, endorsing municipality, or 108
endorsing county is eligible to receive a grant under this section 109

only if the projected incremental increase in receipts from the 110
tax imposed under section 5739.02 of the Revised Code, as 111
determined by the director, exceeds two hundred fifty thousand 112
dollars. The amount of the grant shall be ~~determined by the~~ 113
director not less than fifty per cent of the projected incremental 114
increase in receipts, as determined by the director, but shall not 115
exceed five hundred thousand dollars. The director shall not issue 116
grants with a total value of more than one million dollars in any 117
fiscal year, and shall not issue any grant before July 1, 2013. 118

(B) If the director of development approves an application 119
for ~~an a local organizing committee,~~ endorsing municipality, or 120
endorsing county and that local organizing committee, endorsing 121
municipality, or endorsing county enters into a joinder agreement 122
with a site selection organization, the local organizing 123
committee, endorsing municipality, or endorsing county shall file 124
a copy of the joinder agreement with the director of development, 125
who immediately shall notify the director of budget and management 126
of the filing. Within thirty days after receiving the notice, the 127
director of budget and management shall establish a schedule to 128
disburse from the general revenue fund to such local organizing 129
committee, endorsing municipality, or endorsing county payments 130
that total the amount certified by the director of development 131
under division (A) of this section, but in no event shall the 132
total amount disbursed exceed five hundred thousand dollars, and 133
no disbursement shall be made before July 1, 2013. The payments 134
shall be used exclusively by the local organizing committee, 135
endorsing municipality, or endorsing county to fulfill a portion 136
of its obligations to a site selection organization under game 137
support contracts, which obligations may include the payment of 138
costs relating to the preparations necessary for the conduct of 139
the game, including acquiring, renovating, or constructing 140
facilities; to pay the costs of conducting the game; and to assist 141

the local organizing committee, endorsing municipality, or 142
endorsing county in providing assurances required by a site 143
selection organization sponsoring one or more games. 144

(C) For the purposes of division (A) of this section, the 145
director of development, in consultation with the tax 146
commissioner, shall designate ~~as a~~ the market area for a game ~~each~~ 147
~~area in which they determine there is a reasonable likelihood of~~ 148
~~measurable economic impact directly attributable to the~~ 149
~~preparation for and presentation of the game and related events,~~ 150
~~including areas likely to provide venues, accommodations, and~~ 151
~~services in connection with the game based on the information and~~ 152
~~the copy of the joinder undertaking provided to the director under~~ 153
~~divisions (A) and (B) of this section. The director and~~ 154
~~commissioner shall determine the geographic boundaries of each.~~ 155
The market area shall consist of the combined statistical area, as 156
defined by the United States office of management and budget, in 157
which an endorsing municipality or endorsing county is located. An 158
~~endorsing municipality or endorsing county that has been selected~~ 159
~~as the site for a game must be included in a market area for the~~ 160
~~game.~~ 161

(D) A local organizing committee, endorsing municipality, or 162
endorsing county shall provide information required by the 163
director of development and tax commissioner to enable the 164
director and commissioner to fulfill their duties under this 165
section, including annual audited statements of any financial 166
records required by a site selection organization and data 167
obtained by the local organizing committee, endorsing 168
municipality, or endorsing county relating to attendance at a game 169
and to the economic impact of the game. A local organizing 170
committee, an endorsing municipality, or an endorsing county shall 171
provide an annual audited financial statement if so required by 172
the director and commissioner, not later than the end of the 173

fourth month after the date the period covered by the financial statement ends. 174
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(E) Within ~~sixty~~ thirty days after the game, the local organizing committee, endorsing municipality, or ~~the~~ endorsing county shall report to the director of development about the economic impact of the game. The report shall be in the form and substance required by the director, including, but not limited to, a final income statement for the event showing total revenue and expenditures and revenue and expenditures in the market area for the game, and ticket sales for the game and any related activities for which admission was charged. The director of development shall determine, based on the reported information and the exercise of reasonable judgment, the incremental increase in receipts from the tax imposed under section 5739.02 of the Revised Code directly attributable to the game. If the actual incremental increase in such receipts is less than the projected incremental increase in receipts, the director may require the local organizing committee, endorsing municipality, or ~~the~~ endorsing county to refund to the state all or a portion of the grant. 176
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(F) No disbursement may be made under this section if the director of development determines that it would be used for the purpose of soliciting the relocation of a professional sports franchise located in this state. 193
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(G) This section may not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality or endorsing county under a game support contract or any other agreement relating to hosting one or more games in this state. 197
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Sec. 505.60. (A) As provided in this section and section 505.601 of the Revised Code, the board of township trustees of any township may procure and pay all or any part of the cost of 202
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insurance policies that may provide benefits for hospitalization, 205
surgical care, major medical care, disability, dental care, eye 206
care, medical care, hearing aids, prescription drugs, or sickness 207
and accident insurance, or a combination of any of the foregoing 208
types of insurance for township officers and employees. The board 209
of township trustees of any township may negotiate and contract 210
for the purchase of a policy of long-term care insurance for 211
township officers and employees pursuant to section 124.841 of the 212
Revised Code. 213

If the board procures any insurance policies under this 214
section, the board shall provide uniform coverage under these 215
policies for township officers and full-time township employees 216
and their immediate dependents, and may provide coverage under 217
these policies for part-time township employees and their 218
immediate dependents, from the funds or budgets from which the 219
officers or employees are compensated for services, such policies 220
to be issued by an insurance company duly authorized to do 221
business in this state. 222

(B) The board may also provide coverage for any or all of the 223
benefits described in division (A) of this section by entering 224
into a contract for group health care services with health 225
insuring corporations holding certificates of authority under 226
Chapter 1751. of the Revised Code for township officers and 227
employees and their immediate dependents. If the board so 228
contracts, it shall provide uniform coverage under any such 229
contracts for township officers and full-time township employees 230
and their immediate dependents, from the funds or budgets from 231
which the officers or employees are compensated for services, and 232
may provide coverage under such contracts for part-time township 233
employees and their immediate dependents, from the funds or 234
budgets from which the officers or employees are compensated for 235
services, provided that each officer and employee so covered is 236

permitted to: 237

(1) Choose between a plan offered by an insurance company and 238
a plan offered by a health insuring corporation, and provided 239
further that the officer or employee pays any amount by which the 240
cost of the plan chosen exceeds the cost of the plan offered by 241
the board under this section; 242

(2) Change the choice made under this division at a time each 243
year as determined in advance by the board. 244

An addition of a class or change of definition of coverage to 245
the plan offered under this division by the board may be made at 246
any time that it is determined by the board to be in the best 247
interest of the township. If the total cost to the township of the 248
revised plan for any trustee's coverage does not exceed that cost 249
under the plan in effect during the prior policy year, the 250
revision of the plan does not cause an increase in that trustee's 251
compensation. 252

(C) Any township officer or employee may refuse to accept any 253
coverage authorized by this section without affecting the 254
availability of such coverage to other township officers and 255
employees. 256

(D) If any township officer or employee is denied coverage 257
under a health care plan procured under this section or if any 258
township officer or employee elects not to participate in the 259
township's health care plan, the township may reimburse the 260
officer or employee for each out-of-pocket premium attributable to 261
the coverage provided for the officer or employee and their 262
immediate dependents for insurance benefits described in division 263
(A) of this section that the officer or employee otherwise 264
obtains, but not to exceed an amount equal to the average premium 265
paid by the township for its officers and employees under any 266
health care plan it procures under this section. 267

(E) The board may provide the benefits authorized under this 268
section, without competitive bidding, by contributing to a health 269
and welfare trust fund administered through or in conjunction with 270
a collective bargaining representative of the township employees. 271

The board may also provide the benefits described in this 272
section through an individual self-insurance program or a joint 273
self-insurance program as provided in section 9.833 of the Revised 274
Code. 275

(F) If a board of township trustees fails to pay one or more 276
premiums for a policy, contract, or plan of insurance or health 277
care services authorized under this section and the failure causes 278
a lapse, cancellation, or other termination of coverage under the 279
policy, contract, or plan, it may reimburse a township officer or 280
employee for, or pay on behalf of the officer or employee, any 281
expenses incurred that would have been covered under the policy, 282
contract, or plan. 283

(G) As used in this section and section 505.601 of the 284
Revised Code: 285

(1) "Part-time township employee" means a township employee 286
who is hired with the expectation that the employee will work not 287
more than one thousand five hundred hours in any year. 288

(2) "Premium" does not include any deductible or health care 289
costs paid directly by a township officer or employee. 290

Sec. 731.09. The (A) Except as otherwise provided in division 291
(B) or (C) of this section, the legislative power of each village 292
shall be vested in, and exercised by, a legislative authority, 293
composed of six members, who shall be elected by the electors of 294
the village at large, for terms of four years. At the municipal 295
election held in the year 1961 two members shall be elected for 296
terms of two years and four members shall be elected for terms of 297

four years. Except in villages where a primary election was held 298
in 1961 for the nomination of candidates for member of the 299
legislative authority, the four candidates who receive the 300
greatest number of votes cast shall be elected for terms of four 301
years, and the two candidates who receive the next greatest number 302
of the votes cast shall be elected for terms of two years. 303

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All candidates nominated prior to June 8, 1961, except by 305
primary election, shall have their names grouped together on the 306
election ballot regardless of whether their nominating petition or 307
declaration of candidacy designated that they were candidates for 308
a two-year or a four-year term. 309

At the municipal election in 1963 and quadrennially 310
thereafter, two members shall be elected for terms of four years. 311

At the municipal election in 1965 and quadrennially 312
thereafter, four members shall be elected for terms of four years. 313

Beginning with the year 1964, all members of village council 314
shall hold office for a term of four years. 315

(B) The legislative authority of a village may adopt an 316
ordinance or resolution that, if approved by a majority of the 317
electors voting on the issue, would reduce the number of members 318
of the legislative authority to five. A certified copy of the 319
ordinance or resolution shall be filed with the board of elections 320
no later than four p.m. of the ninetieth day before the day of the 321
next election at which members of the legislative authority are to 322
be elected. 323

(C) The electors may propose a reduction in the number of 324
members of the legislative authority from six to five by 325
initiative petition in accordance with the procedure set forth in 326
section 731.28 of the Revised Code. 327

(D) If a majority of the votes cast on the question proposed 328

under division (B) or (C) of this section is in the affirmative, 329
the legislative authority shall be composed of five members, who 330
shall be elected at large, for terms of four years. If members of 331
the legislative authority have staggered terms of office as 332
required by this section, the decrease in number of members shall 333
be implemented as necessary over the next two municipal elections 334
at which members of the legislative authority would be elected. If 335
the legislative authority has adopted an ordinance or resolution 336
to eliminate staggered terms of office under section 731.091 of 337
the Revised Code, the five members shall be elected as set forth 338
in division (B)(2) of that section. 339

Sec. 731.091. (A) The legislative authority of a village may, 340
by the adoption of an ordinance or resolution to eliminate 341
staggered terms of office, determine that all members of the 342
legislative authority shall be elected at the same municipal 343
election as provided for in this section. 344

(B) At the regular municipal election occurring not less than 345
ninety days after the certification of the ordinance or resolution 346
to the board of elections eliminating staggered terms of office, 347
the following apply: 348

(1) If there are six members of the legislative authority, 349
three members shall be elected at the next regular municipal 350
election for two year nonstaggered terms and all members of the 351
legislative authority shall be elected to four year nonstaggered 352
terms at all following municipal elections. 353

(2) If there are five members of the legislative authority, 354
three members shall be elected at the next municipal election for 355
two year terms and all members shall be elected to four year 356
nonstaggered terms at all following municipal elections. 357

Section 2. That existing sections 122.12, 122.121, 505.60, 358
and 731.09 of the Revised Code are hereby repealed. 359