

**As Reported by the Senate State and Local Government and
Veterans Affairs Committee**

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

H. B. No. 423

Representative Gonzales

**Cosponsors: Representatives Blessing, Wachtmann, Stebelton, Conditt,
Schuring, Brenner, Garland, Huffman, Landis, Lynch, Newbold, Sears,
Stautberg**

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A B I L L

To amend section 755.181 of the Revised Code to 1
provide for the dissolution of a joint recreation 2
district. 3

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

Section 1. That section 755.181 of the Revised Code be 4
amended to read as follows: 5

Sec. 755.181. The legislative authority of any municipal 6
corporation, township, township park district, county, or school 7
district desiring to join a joint recreation district created 8
under section 755.14 of the Revised Code may, by resolution, 9
petition the joint recreation district board of trustees for 10
membership. If the joint recreation district does not impose a 11
tax, the petitioning subdivision becomes a member upon approval by 12
the joint recreation district's board of trustees. If the joint 13
recreation district imposes a tax, the petitioning subdivision 14
becomes a member after approval by the joint recreation district's 15
board of trustees and after approval of the tax by the electors of 16

the petitioning subdivision. 17

Upon certification by the board of trustees of the joint 18
recreation district to the appropriate boards of election, the 19
boards of election shall make the necessary arrangements for the 20
submission of the question to the electors of the petitioning 21
subdivision qualified to vote thereon. The election shall be held, 22
canvassed, and certified in the manner provided for the submission 23
of tax levies under section 5705.19 of the Revised Code, except 24
that the question appearing on the ballot shall read: 25

"Shall the territory within (Name of the 26
subdivision to be added) be added to (Name) 27
joint recreation district, and a property tax at a rate of 28
taxation not exceeding (here insert tax rate) be 29
in effect for (here insert the number of years 30
the tax is to be in effect)?" If the question is approved by at 31
least a majority of the electors voting on it, the joinder shall 32
be effective as of the first day of January of the year following 33
approval, and on that date, the joint recreation district tax 34
shall be extended to the taxable property within the territory 35
that has been added. 36

The legislative authority of any subdivision that is a member 37
of a joint recreation district may withdraw from it upon 38
certification of a resolution proclaiming a withdrawal to the 39
joint recreation district's board of trustees. Any subdivision 40
withdrawing from a joint recreation district shall continue to 41
have levied against its tax duplicate any tax levied by the 42
district on the effective date of the withdrawal until it expires 43
or is renewed. Members of a joint recreation district's board of 44
trustees who represent the withdrawing subdivision are deemed to 45
have resigned their position upon certification of a withdrawal 46
resolution. Upon the withdrawal of any subdivision from a joint 47
recreation district, the county auditor shall ascertain, 48

apportion, and order a division of the funds on hand, moneys and 49
taxes in the process of collection, except for taxes levied for 50
the payment of indebtedness, credits, and real and personal 51
property, either in money or in kind, on the basis of the 52
valuation of the respective tax duplicates of the withdrawing 53
subdivision and the remaining territory of the joint recreation 54
district. 55

When the number of subdivisions comprising a joint recreation 56
district is reduced to one, the joint recreation district ceases 57
to exist, and the funds, credits, and property remaining after 58
apportionments to withdrawing subdivisions shall be assumed by the 59
one remaining subdivision. When a joint recreation district ceases 60
to exist and indebtedness remains unpaid, the board of county 61
commissioners shall continue to levy and collect taxes for the 62
payment of that indebtedness within the territory of the joint 63
recreation district as it was comprised at the time the 64
indebtedness was incurred. 65

Section 2. That existing section 755.181 of the Revised Code 66
is hereby repealed. 67