

Sub. H.B. 50  
LSC 129 1215-5

**Topic:** Expedited type-II annexation petition signature requirement 1  
for township greenspace and cemeteries 2

\_\_\_\_\_ moved to amend as follows:

In line 9, after "sections" insert "709.02, "; after "709.023" 3  
insert a comma 4

Between lines 10 and 11, insert: 5

"**Sec. 709.02.** (A) The owners of real estate contiguous to a 6  
municipal corporation may petition for annexation to a municipal 7  
corporation in the manner provided by sections 709.02 to 709.11 of 8  
the Revised Code. 9

(B) Application for annexation shall be made by a petition 10  
filed with the clerk of the board of county commissioners of the 11  
county in which the territory is located. 12

(C) The petition required by this section shall contain the 13  
following: 14

(1) The signatures of a majority of the owners of real estate 15  
in the territory proposed for annexation. The person who signs or 16  
the circulator of the petition also shall write the date the 17  
signature was made next to the owner's name. No signature obtained 18  
more than one hundred eighty days before the date on which the 19  
petition is filed shall be counted in determining the number of 20  
signers of the petition. Any owner who signed the petition may 21

have the signature removed before the document is filed by 22  
 delivering a signed statement to the agent for the petitioners 23  
 expressing the owner's wish to have the signature removed. Upon 24  
 receiving a signed statement, the agent for the petitioners shall 25  
 strike through the signature, causing the signature to be deleted 26  
 from the petition. 27

(2) An accurate legal description of the perimeter and an 28  
 accurate map or plat of the territory proposed for annexation; 29

(3) The name of a person or persons to act as agent for the 30  
 petitioners. The agent for the petitioners may be an official, 31  
 employee, or agent of the municipal corporation to which 32  
 annexation is proposed. 33

(D) At the time of filing the petition for annexation, the 34  
 agent for the petitioners also shall file with the clerk of the 35  
 board a list of all tracts, lots, or parcels in the territory 36  
 proposed for annexation, and all tracts, lots, or parcels located 37  
 adjacent to that territory or directly across the road from it 38  
 when the road is adjacent to it, including the name and mailing 39  
 address of the owner of each tract, lot, or parcel, and the 40  
 permanent parcel number from the county auditor's permanent parcel 41  
 numbering system established under section 319.28 of the Revised 42  
 Code for each tract, lot, or parcel. This list shall not be 43  
 considered to be a part of the petition for annexation, and any 44  
 error on the list shall not affect the validity of the petition. 45

(E)(1) As used in sections 709.02 to 709.21, 709.38, and 46  
 709.39 of the Revised Code, "owner" or "owners" means any adult 47  
 individual who is legally competent, the state or any political 48  
 subdivision as defined in section 5713.081 of the Revised Code, 49  
 and any firm, trustee, or private corporation, any of which is 50  
 seized of a freehold estate in land; except that easements and any 51  
 railroad, utility, street, and highway rights-of-way held in fee, 52

by easement, or by dedication and acceptance are not included 53  
 within those meanings; and no person, firm, trustee, or private 54  
 corporation, the state, or any political subdivision, that has 55  
 become an owner of real estate by a conveyance, the primary 56  
 purpose of which is to affect the number of owners required to 57  
 sign a petition for annexation, is included within those meanings. 58  
~~For~~ 59

(2) Except as provided in division (E)(3) of this section, 60  
for purposes of sections 709.02 to 709.21, 709.38, and 709.39 of 61  
the Revised Code, the state or any political subdivision shall not 62  
be considered an owner and shall not be included in determining 63  
the number of owners needed to sign a petition unless an 64  
authorized agent of the state or the political subdivision signs 65  
the petition. The authorized agent for the state shall be the 66  
director of administrative services. 67

(3) For purposes of section 709.023 of the Revised Code, a 68  
board of township trustees shall be considered an owner and shall 69  
be included in determining the number of owners needed to sign a 70  
petition if land that has been acquired by the board under 71  
division (HH) of section 5705.19 of the Revised Code or a township 72  
cemetery is situated in or on a tract, lot, or parcel located in 73  
the territory proposed for annexation. If the board of township 74  
trustees is considered an owner under this section but does not 75  
sign the petition, no annexation may occur under section 709.023 76  
of the Revised Code. 77

(4) An owner is determined as of the date the petition is 78  
filed with the board of county commissioners. If the owner is a 79  
corporation, partnership, business trust, estate, trust, 80  
organization, association, group, institution, society, state, or 81  
political subdivision, the petition shall be signed by a person 82  
who is authorized to sign for that entity. A person who owns more 83

than one parcel of real estate, either individually or as a tenant 84  
 in common or by survivorship tenancy, shall be counted as one 85  
 owner for purposes of this chapter." 86

In line 551, after "sections" insert "709.02,"; after 87  
 "709.023" insert a comma 88

In line 1 of the title, after "sections" insert "709.02,"; 89  
 after "709.023" insert a comma 90

In line 7, after "proceeding" insert a comma 91

In line 8 of the title, after "residency" insert ", and to 92  
 require that a board of township trustees owner of greenspace or a 93  
 cemetery be included in determining the number of owners needed to 94  
 sign a petition for such an annexation" 95

The motion was \_\_\_\_\_ agreed to.