



## Ohio Revised Code

### Section 4906.021 Ad hoc member requirement, qualifications.

Effective: October 11, 2021

Legislation: Senate Bill 52 - 134th General Assembly

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(A) For the purposes of this section and section 4906.022 of the Revised Code:

(1) "Immediate family member" means a person's:

(a) Spouse;

(b) Brother or sister of the whole, or of the half, blood, or by marriage;

(c) Children, including adopted children; and

(d) Parents.

(2) "Material amendment" and "utility facility" have the same meanings as in section 303.57 of the Revised Code.

(B) Whenever an application is made to the power siting board for a certificate or a material amendment to an existing certificate for a utility facility, the board shall include two voting ad hoc members to represent the interests of the residents of the area in which the utility facility is to be located.

(C)(1) The ad hoc members shall be:

(a) The chairperson of the board of township trustees of the township in which the utility facility is to be located or the chairperson's designee;

(b) The president of the board of county commissioners of the county in which the utility facility is to be located or the president's designee.



(2) If a utility facility is to be located in multiple townships, a single ad hoc member to represent the townships shall be chosen by a majority vote of all of the boards of township trustees of the townships in which the utility facility is to be located.

(3) If a utility facility is to be located in multiple counties, a single ad hoc member to represent the counties shall be chosen by a majority vote of all of the boards of county commissioners of the counties in which the utility facility is to be located.

(D)(1) No person shall serve as such an ad hoc member if the person:

(a) Is party to a lease agreement with, or has granted an easement to, the developer of a utility facility;

(b) Holds any other beneficial interest in a utility facility;

(c) Has an immediate family member who is party to a lease agreement with, or has granted an easement to, the developer of the utility facility;

(d) Has an immediate family member who holds any beneficial interest in a utility facility;

(e) Has an immediate family member who has intervened in the power siting board proceeding for which the ad hoc member is included.

(2) If, because of the application of division (D) of this section, an individual is unable to serve as such an ad hoc member, a new ad hoc member shall be appointed in accordance with division (C) of this section.

(E) A designee under division (C)(1) of this section shall be one of the following from the same political subdivision as the designator:

(a) Another elected official;

(b) A resident.