



## Ohio Revised Code Section 936.04 Petition for referendum.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

---

(A) Retailers in this state may present the propane council with a petition signed by the lesser of twenty-five or ten per cent of all such retailers requesting that the council hold a referendum in accordance with section 936.05 of the Revised Code to establish or amend a marketing program for propane.

(B) At the time of presentation of the petition to the council under division (A) of this section, the petitioners also shall present the proposed program or amendment, which shall include all of the following:

(1) The rate of assessment to be made on the volume of odorized propane purchased by a retailer from a wholesale distributor in this state, which shall not exceed five thousandths of a mill per gallon;

(2) Terms, conditions, limitations, and other eligibility qualifications for assessment;

(3) Procedures and eligibility requirements for a refund of the assessment.

(C) Before the council makes a decision to approve or disapprove a proposed program or amendment, the council shall publish in at least two appropriate periodicals designated by the council a notice that the program or amendment has been proposed and informing interested persons of the procedures for submitting comments regarding the proposal. After publishing the notice, the council shall provide interested persons with a copy of the proposed program or amendment and an opportunity to comment on the proposed program or amendment for thirty days after the publication of the notice. The petitioners may make changes to the proposed program or amendment based upon the comments received. The council may make technical changes to the proposal to ensure compliance with this chapter. Subsequent to any changes made by the petitioners or any technical changes made by the council to a proposed program or amendment, the council may approve or disapprove the proposed program or amendment.



(D) If the council approves the proposed program or amendment, with any changes made under division (C) of this section, the council shall hold a referendum in accordance with section 936.05 of the Revised Code to establish a marketing program for propane or to amend an existing program.