



Ohio Revised Code

Section 717.31 Policies for use of municipal corporation credit card accounts.

Effective: November 2, 2018

Legislation: House Bill 312 - 132nd General Assembly

(A) Not later than three months after the effective date of this section , a legislative authority of a municipal corporation that holds a credit card account on the effective date of this section shall adopt a written policy for the use of credit card accounts. Otherwise, a legislative authority shall adopt a written policy before first holding a credit card account.

The policy shall include provisions addressing all of the following:

- (1) The officers or positions authorized to use a credit card account;
- (2) The types of expenses for which a credit card account may be used;
- (3) The procedure for acquisition, use, and management of a credit card account and presentation instruments related to the account including cards and checks;
- (4) The procedure for submitting itemized receipts to the village clerk or city auditor or the clerk's or auditor's designee;
- (5) The procedure for credit card issuance, credit card reissuance, credit card cancellation, and the process for reporting lost or stolen credit cards;
- (6) The municipal corporation's credit card account's maximum credit limit or limits;
- (7) The actions or omissions by an officer or employee that qualify as misuse of a credit card account.

(B) The name of the municipal corporation shall appear on each presentation instrument related to the account including cards and checks.



(C) If the village clerk or city auditor, as applicable, does not retain general possession and control of the credit card account and presentation instruments related to the account including cards and checks, the following applies:

(1) In a municipal corporation that has the authority to operate a mayor's court pursuant to Chapter 1905. of the Revised Code, the chief executive officer of the municipal corporation shall appoint a compliance officer to perform the duties enumerated under division (D) of this section. The compliance officer may not use a credit card account and may not authorize an officer or employee to use a credit card account. The village clerk or city auditor is not eligible for appointment as compliance officer.

(2) In a municipal corporation that does not have the authority to operate a mayor's court pursuant to Chapter 1905. of the Revised Code, the village clerk or city auditor monthly shall present to the legislative authority credit card account transaction detail from the previous month. The legislative authority shall review the credit card account transaction detail and the presiding officer of the legislative authority shall sign an attestation stating the legislative authority reviewed the credit card account transaction detail.

(D) The compliance officer, if applicable, and the legislative authority at least quarterly shall review the number of cards and accounts issued, the number of active cards and accounts issued, the cards' and accounts' expiration dates, and the cards' and accounts' credit limits.

(E) If the village clerk or city auditor retains general possession and control of the credit card account and presentation instruments related to the account including cards and checks, and the legislative authority authorizes an officer or employee to use a credit card, the village clerk or city auditor may use a system to sign out credit cards to the authorized users. The officer or employee is liable in person and upon any official bond the officer or employee has given to the municipal corporation to reimburse the treasury the amount for which the officer or employee does not provide itemized receipts in accordance with the policy described in division (A) of this section.

(F) The use of a credit card account for expenses beyond those authorized by the legislative authority constitutes misuse of a credit card account. An officer or employee of the municipal corporation or a public servant as defined under section 2921.01 of the Revised Code who knowingly misuses a



credit card account held by the municipal corporation violates section 2913.21 of the Revised Code.

(G) The village clerk or city auditor, as applicable, or the designee of that applicable officer annually shall file a report with the legislative authority detailing all rewards received based on the use of the municipal corporation's credit card account.

(H) As used in this section, "credit card account" means any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or to transact with the account, and any debit or gift card account related to the receipt of grant moneys. "Credit card account" does not include a procurement card account, gasoline or telephone credit card account, or any other card account where merchant category codes are in place as a system of control for use of the card account.