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# OHIO LEGISLATIVE SERVICE COMMISSION

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Office

S.B. 173  
136<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Sens. Schaffer and Brenner

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### SUMMARY

- Requires the automatic transfer of territory to the city school district serving an annexing city if certain conditions apply, including that the territory is located in a county in which a megaproject is located.

### DETAILED ANALYSIS

#### School district territory annexations

The bill modifies the law regarding school district territory transfers. Specifically, the bill requires that, without approval of the city school district serving the annexing city or the State Board of Education, when a territory comprised of part but not all of the territory of a school district is annexed to a city, the territory becomes a part of the city school district serving the annexing city if all of the following apply:<sup>1</sup>

1. A majority of the annexing city's residents live in the city school district serving that city;
2. The annexed territory is located in an unincorporated area in a county in which a megaproject is located; and
3. The school district from which the territory is being annexed objects to the acceptance of students for any new homes constructed within the annexed area.

The bill requires the transfer of territory to take effect for the school year following the annexation.

<sup>1</sup> R.C. 3311.06(C)(3).

However, the bill excludes from the requirement annexations of territory where both of the following apply:<sup>2</sup>

1. The annexed territory is fully subdivided and approved by all applicable city and county agencies for residential property; and
2. At least 20% of the annexed territory consists of regularly occupied, fully constructed houses that have been transferred from the builder to the individuals in arm's length transactions.

## Background

Generally, whether school district territory is transferred as a result of a municipal annexation depends on how much of the district territory is annexed.<sup>3</sup> If all of a school district's territory is located within the limits of the annexed land, the district's territory is automatically transferred to the school district that serves the city or village that annexed that land. That is, a school district located entirely within the annexed land is absorbed by the school district serving the city or village.

If only part of a school district's territory is located in the annexed land, the transfer of territory to the school district that serves the city or village is subject to the State Board of Education's approval. State law authorizes either school district affected by a potential transfer to request the transfer's approval.<sup>4</sup>

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## HISTORY

Action	Date
Introduced	04-08-25

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<sup>2</sup> R.C. 3311.06(C)(4).

<sup>3</sup> This does not include the transfer of territory in the case of annexations affecting Columbus City School District and some of its neighboring suburban school districts, which are governed by annexation agreements adopted by the districts under separate law (R.C. 3311.06(E) and (F)).

<sup>4</sup> R.C. 3311.06(C)(1) and (2).