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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 298  
134<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Bird and J. Miller

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### SUMMARY

- Revises the composition of the State Board of Education from 19 voting members to 11, by eliminating the eight Governor-appointed positions while maintaining the 11 positions elected from designated State Board electoral districts.
- Requires the Governor-appointed members to retain their positions on the State Board until the expiration of their current terms.

### DETAILED ANALYSIS

#### State Board of Education composition

The bill revises the composition of the State Board of Education from 19 voting members to 11, by eliminating the eight Governor-appointed positions while maintaining the 11 officials elected from the designated State Board electoral districts. It maintains the current provision under which the chairs of the education committees of the House of Representatives and the Senate are nonvoting ex officio members of the board.<sup>1</sup>

The bill also provides that the Governor-appointed members remain in office until the expiration of their current terms. Thereafter, their positions are abolished. However, if a Governor-appointed member vacates that position prior to the expiration of the member's term, the bill prohibits the appointment of another member to fill the vacancy, and the position is abolished.<sup>2</sup>

<sup>1</sup> R.C. 3301.01; conforming changes in R.C. 3301.02, 3301.03, and 3301.06.

<sup>2</sup> Section 3.

## Background

The Ohio Constitution requires the establishment of the State Board but specifies that its membership must be prescribed by law.<sup>3</sup> Under current law, the State Board consists of 19 voting members. Eleven of these members are elected from specified electoral districts, and eight are appointed by the Governor with the advice and consent of the Senate. The chairpersons of the House of Representatives and the Senate committees that primarily deal with education also serve on the State Board as nonvoting ex officio members. Voting members serve four-year terms and may not hold that position for more than two successive terms.<sup>4</sup>

Prior to 1992, the State Board consisted of members elected from districts coinciding with the state's Congressional districts. In 1992, the General Assembly changed the composition of the Board to consist only of 11 voting members elected from districts made up of three contiguous state Senate districts.<sup>5</sup> In 1995, the General Assembly prescribed the current composition of the Board by authorizing the Governor to appoint eight additional members, bringing the total number of voting members to 19.<sup>6</sup> In 2000, the General Assembly reenacted the 1995 amendments in a separate act in response to a lawsuit challenging the procedure used to enact those amendments.<sup>7</sup>

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## HISTORY

Action	Date
Introduced	05-11-21

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<sup>3</sup> Ohio Constitution, Article VI, Section 4.

<sup>4</sup> R.C. 3301.01, 3301.02, and 3301.03.

<sup>5</sup> S.B. 162 of the 119<sup>th</sup> General Assembly.

<sup>6</sup> H.B. 117 of the 121<sup>st</sup> General Assembly.

<sup>7</sup> H.B. 711 of the 123<sup>rd</sup> General Assembly.