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State ex rel. Perry Township Board of Trustees v. Husted, Secy.

Supreme Court of Ohio - September 21, 2018 - N.E.3d - 2018 WL 4540093 - 2018 -Ohio-3830

Township board of trustees filed complaint for writ of mandamus, seeking to compel county board of elections to place proposed township property-tax levy to renew and increase existing tax levy for road construction and repair on general election ballot.

The Supreme Court of Ohio held that county board of elections had no clear legal duty, under statute governing resolutions to renew existing levies, to place on general election ballot the proposed ballot language by township board of trustees for resolution to renew and increase existing tax levy for road construction and repair, which stated that renewal and increase would commence in last year of existing levy, and thus township board of trustees was not entitled to writ of mandamus compelling such action, where statute did not specify that renewal and increase, if approved, could commence in final year of existing tax levy.

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