



STATEHOUSE REPORT

Published by: County Commissioners Association of Ohio

209 East State Street • Columbus, Ohio 43215-4309
Phone: 614-221-5627 • Fax: 614-221-6986 • www.ccao.org

June 23, 2023

Budget heads to Conference Committee, final opportunity for advocacy

This week, the Ohio House of Representatives voted for nonconcurrency with the changes made to [House Bill 33, the state's main operating budget](#), by the Senate by a vote of 71-23. This sends the bill to Conference Committee, where members of each chamber will negotiate an agreement. The Conference Committee is the final step in the budget process in which changes can be made, so it is vital that counties make a strong push for our priorities this week.

Adding to the importance of advocacy during this budget's Conference Committee is the updated revenue projections released by the [Office of Budget and Management](#) and the [Legislative Service Commission](#) this week, which show an increased surplus at the end of SFY 2023, higher-than-estimated revenues for SFY 2024, and slightly lower-than-estimated revenues for SFY 2025.

The members of the Conference Committee are:

- Representative Jay Edwards
- Representative Jeff LaRe
- Representative Bride Rose Sweeney
- Senator Matt Dolan
- Senator Jerry Cirino
- Senator Vernon Sykes

Other key legislators are members of leadership in both chambers:

- House: [Republican Party](#), [Democratic Party](#)
- Senate: [Republican Party](#), [Democratic Party](#)

As a reminder, here is where CCAO's key priorities for this operating budget stand heading into Conference Committee:

Indigent Defense

The Senate version of the budget and the House version both keep indigent defense reimbursement funding at the level in Governor Mike DeWine's budget proposal (\$166.1 million in SFY 2024 and \$171.1 million in SFY 2025). This level of funding is estimated to provide 90% reimbursement. CCAO

is seeking an appropriation increase of \$10 million in each fiscal year to help bring more reimbursement funding to counties.

Additionally, the Senate version does not include any language relating to a temporary reimbursement cap to help stabilize the reimbursement appropriation. The House version has a temporary cap, set at the greater of \$75 per hour or the county's rate on April 1, 2023. CCAO is seeking a modification of the House language but changed to a \$75 cap on all non-capital cases. This will provide more equitable reimbursement across the 88 counties.

County Jail Funding

The Senate version appropriates \$75 million in SFY 2024 for county jail construction and renovation. This figure is an increase from the \$25 million in each fiscal year from the executive proposal, but a decrease from the \$100 million in each fiscal year from the House version of the bill. CCAO is seeking to return to the House appropriation.

Local Government Funding

The Senate version and the House version both keep the Local Government Fund percentage increase proposed by Governor DeWine, raising the share of state general revenue fund tax revenue distributed through the LGF from 1.66% to 1.70%, the first statutory increase in more than a decade. However, with significant changes to the income tax system made in both the Senate and the House, the LGF will likely experience a decrease in total size.

The Senate version retained language added in the House version that increases the minimum a county undivided local government fund can receive and that requires the county budget commission in any county that utilizes an alternative distribution method to meet at least once every five years to review the distribution formula. CCAO is seeking to ensure these provisions remain in the bill.

Next Generation 9-1-1

The Senate version of the budget, as with the House version, maintains funding for one-time rollout costs of implementing the Next Generation 9-1-1 System. However, the Senate version does not have language that was included in the House version which would increase the user fee for certain devices to \$0.64 per month, with revenue going to fund ongoing operations of the system. CCAO is seeking a restoration of the House language, with changes aligning with those proposed in SC-2770 (please make sure to mention this amendment number to your legislators).

It is very important to contact your representatives and senators to stress the necessity of these county priorities as the budget moves into its final phase. This is particularly true if your representatives and senators are on the lists above. Please help CCAO staff and your fellow counties across the state to express the Association's positions regarding indigent defense, county jail funding, and Next Generation 9-1-1 operating funding.

County officials offer testimony on bill to adjust property tax valuation methodology

[House Bill 187](#) (Representative Thomas Hall and Representative Adam Bird) received its second hearing for proponent testimony in the House Ways and Means Committee. The bill revises the methodology for sales ratios used in determining property tax valuations. There are 41 counties that are undergoing property value reappraisals or updates in 2023. The new valuations will be reflected on property tax bills in 2024. During this process, county auditors submit sales data to the State Tax

Commissioner for review to ensure that the methodology reflects the state constitutional requirement to value property at its fair market level.

The bill directs the Tax Commissioner to use three years of data when analyzing sales ratios for appraisals, and to give equal weight to each year. Current law only requires the use of a representative sample from the previous three years, and, typically, the Tax Commissioner gives greatest weight to the most recent year. The bill also requires the Tax Commissioner to take economic conditions into account. If the bill passes, these changes would be applied to counties undergoing updates and reappraisals in 2023. It should be noted that the same provision is included in the Senate version of House Bill 33, the main operating budget bill.

Butler County Commissioner Don Dixon spoke in favor of the bill, along with Butler County Sheriff Richard Jones, Butler County Auditor Nancy Nix, and Monica Nenni, Vice Mayor of Middletown. Summit County Council Member Bethany McKenney also offered written proponent testimony.

Commissioner Dixon stated in his [testimony](#) that the Tax Commissioner's official estimate for Butler County is an average 42% increase in valuation, but if three-years of data are used instead, the valuation increase would be 25%. Commissioner Dixon went on to say that "additional steps must be taken to develop a long-term solution ... We believe that more autonomy must be given to a county budget commission, composed of multiple elected offices, to make decisions in the best interests of county taxpayers."

Council Member McKenney stated in her [testimony](#) that she was receiving many calls from constituents concerned about an average 34% increase in valuation, and requested that the law be changed to allow three years of sales data to be used.

The bill is scheduled for opponent testimony in the House Ways and Means Committee Tuesday, June 27. CCAO has not taken an official position at this time.

Members with questions should contact Senior Policy Analyst Jon Honeck, [jhoneyck@ccao.org](mailto:jhoneck@ccao.org), 614-220-7982.

Senate passes two bills, one resolution of note to counties

During its Wednesday session, the Senate passed two bills and adopted one resolution of note to counties.

First, the Senate unanimously passed [House Bill 191](#) (Representative D.J. Swearingen and Representative Bill Seitz), which makes changes regarding bail. The bill includes an emergency clause allowing it to take effect immediately upon the governor's signature. The bill codifies Criminal Rule 46, a step necessary after the passage of Issue 1 last November. The bill is identical to [Senate Bill 122](#) (Senator Nathan Manning and Senator Paula Hicks-Hudson).

The second bill the Senate passed of note to counties was [Senate Bill 119](#) (Senator Bill Reineke), which makes changes relating to solid waste districts. The bill, which also passed unanimously, went through several changes which can be read about in prior issues of Statehouse Report. The bill as passed largely focuses on the procedure through which a county may leave a joint solid waste district. It now heads to the House for consideration.

Finally, the Senate unanimously adopted [Senate Concurrent Resolution 5](#) (Senator Hearcel Craig and Senator George Lang), which supports and encourages the work of the Ohio Commission for the U.S.

Semiquincentennial. The Semiquincentennial will occur on July 4, 2026, as the United States turns 250 years old. Two county commissioners are on the Commission: Henry County Commissioner Glenn Miller (in his role as the president of CCAO) and Medina County Commissioner Steve Hambley (in recognition for his public service at the state and local level and due to his activities as a Medina County historian).

If you have questions about House Bill 191 or Senate Bill 122, please contact Kyle Petty at kpetty@ccao.org or 614-220-7977. If you have questions about Senate Bill 119, please contact Rachel Reedy at rreedy@ccao.org or 614-220-7996.

Legislative Activity

Committee Hearings

The following committees also held hearings that included bills which may be of interest to counties:

House Agriculture

- [House Bill 193](#) (Representative Kevin Miller and Representative Brian Lampton): To establish procedures and requirements governing biosolid lagoons and biodigestion facilities, including granting county and township zoning authority over those lagoons and facilities, and to modify the CAUV eligibility requirements for certain land used to produce biofuels.
 - First hearing, sponsor testimony

House Families & Aging

- [House Bill 5](#) (Representative Sharon Ray and Representative Rachel Baker): To express the General Assembly's intent to modernize the adoption process.
 - Third hearing, no testimony.
 - **FAVORABLY REPORTED, 13-0.**

House State and Local Government

- [House Bill 30](#) (Representative Latyna Humphrey): To require municipal and county correctional facilities and state correctional institutions to provide inmates experiencing a menstrual cycle with an adequate supply of feminine hygiene products.
 - Second hearing, no testimony.
 - Received an amendment.
- [House Bill 145](#) (Representative Thomas Hall and Representative Brian Lampton): To expand political subdivision joint purchasing authority to expressly include purchases for construction services.
 - Third hearing, proponent testimony from Sourcewell; opponent testimony from the Associated General Contractors of Ohio, the Construction Employers Association, and the Southwestern Ohio Educational Purchasing Council & Ohio Council of Educational Purchasing Consortia; interested party testimony from National Cooperative Procurement Partners and Bricker Graydon LLP.
- [House Bill 153](#) (Representative Brett Hillyer): To limit which abandoned land may be subject to certain expedited foreclosure proceedings.
 - Second hearing, proponent testimony from the Pacific Legal Foundation and Ohio Realtors.

House Transportation

- [House Bill 201](#) (Representative Brett Hillyer and Representative Steve Demetriou): To license certified mental health assistants and to amend the version of section 4755.48 of the

Revised Code that is scheduled to take effect December 29, 2023, to continue the change on and after that date.

- Second hearing, proponent testimony from the Ohio Oil and Gas Association, the Ohio Auto Dealers Association, the Ohio Conservative Energy Forum, PBF Energy, the Consumer Energy Alliance, American Fuel and Petrochemical Manufacturers, and ACT Ohio.

House Health Provider Services

- [House Bill 97](#) (Representative Gail K. Pavliga): To prohibit a state agency, county, or township from restricting the sale or use of a motor vehicle based on the energy source used to power the motor vehicle and to prohibit a state agency from adopting the California emissions standards for motor vehicles.
 - Second hearing, proponent testimony from the Ohio Chamber of Commerce, NAMI Ohio, the Inter-University Council of Ohio, and the Northeast Ohio Medical University.

Senate Government Oversight

- [Senate Bill 91](#) (Senator Tim Schaffer): Regards fraud, waste, and abuse of public funds.
 - Fifth hearing, no testimony.
 - FAVORABLY REPORTED, 4-0.

Senate Agriculture

- [Senate Bill 111](#) (Senator Paula Hicks-Hudson): Relating to temporary greenhouses and building codes, to establish the Urban Farmer Youth Initiative Pilot Program, to codify certain property tax requirements for agricultural land, and to make an appropriation.
 - Third hearing, opponent testimony from the City of Lakewood.
 - Received a substitute bill.

Introduction of Bills

The following bills that may be of interest to counties were introduced this week:

- [House Bill 215](#) (Representative Mark Johnson): To modify the qualifications of county engineers in certain counties.

Upcoming Committee Hearings

The following committees are currently scheduled to meet and discuss bills that may be of interest to counties. Other committees will likely meet as well but as of press time for *Statehouse Report* they have not released agendas. Please note that these schedules are subject to change.

If you would like to offer testimony on any bill, please visit the committee page and contact the committee chair's office for instructions on how to submit testimony.

Tuesday, June 27

[House Ways and Means](#) (10:30 a.m.)

- [House Bill 187](#) (Representative Thomas Hall and Representative Adam Bird): To modify the procedures used by the Tax Commissioner to conduct property tax sales-assessment ratio studies.
 - Third hearing, opponent testimony