



STATEHOUSE REPORT

Published by: County Commissioners Association of Ohio

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August 25, 2023

Virtual meeting authority bill introduced in the House

Earlier this week, Representatives Jim Hoops and Thaddeus Claggett introduced [House Bill 257](#), which would authorize certain public bodies to meet virtually.

The bill uses the broad definition of "public body" established in [R.C. 121.22\(B\)\(1\)](#) but clarifies that a number of bodies are excluded from the definition (and therefore not permitted to hold virtual meetings). These excluded bodies include:

- The General Assembly and any of its committees and subcommittees;
- Any court, including mayor's courts;
- The State Board of Education;
- The Bureau of Workers' Compensation;
- The Ohio Elections Commission;
- Boards of county commissioners;
- Boards of township trustees;
- The legislative authority of a municipality or charter county;
- A public school district board of education;
- A board of elections, unless the meeting is within 90 days of an August special election.

The bill explicitly allows the annual county engineer meeting of all township and county authorities involved with construction of roads and bridges to be held virtually.

Bodies that wish to hold virtual meetings must adopt policies within certain parameters established in the R.C. to ensure the public can still be involved, that regulate how many members may be virtual, and other conditions.

The bill has not yet been referred to a committee. CCAO will keep membership informed on developments with H.B. 257.

Auditor of State issues FAQs concerning prohibition on use of public funds to support the passage of a bond or tax levy ballot issue

Ohio law prohibits all political subdivisions, except charter counties and charter municipalities, from using public funds to support or oppose a ballot issue proposing a tax levy or bond issuance. This prohibition includes compensating employees for time spent on an activity intended to influence the outcome of an election. The Auditor of State (AOS) recently issued Frequently Asked Questions ([FAQs](#)) to clarify its interpretation of this statute.

The guidance is written to address circumstances that affect school districts and their relationship to outside levy committees, but similar compliance issues will affect counties when their levies are on the ballot. CCAO strongly recommends that counties review the guidance with their employees in order to avoid misunderstandings of the law.

In general, county officials and employees have the right to participate in the political process, but their activity should be during a time when they are not being compensated with public funds. In other words, these actions must be “on their own time and their own dime.” The guidance recognizes that members of a public board have a duty to explain their vote, but any advocacy for a levy must occur outside of meeting times. Otherwise, the county employees may communicate neutral, verifiable, and factual information regarding a levy, but it should not be designed to influence support for or against the issue.

Public resources can be used to inform voters of likely consequences that would occur if a levy fails. AOS considers best practice to be the adoption at a board meeting, before the vote to authorize the levy, of the steps that would have to be taken if a levy were to fail. Public officials may thank voters for their support of a past levy, but these communications should not mention any upcoming ballot issue.

The FAQs go into detail about many other issues, such as facilities, signs, and the use of surveys. For example, county officials and staff should not wear pins, stickers, or any other item indicating support for a levy during the workday. If public facilities are used by pro-levy organizations, then they must be made available on the same basis to anti-levy organizations. Finally, supervisors should be reminded that county staff should not be asked or pressured to contribute to or otherwise support a levy campaign. The FAQs are [available here](#).

Attorneys from the law firm Bricker Graydon will host a webinar on this topic on Friday, September 15, for CCAO members. More details will be forthcoming.

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

Opportunities for Ohioans with Disabilities to host CCAO-only webinar on September 6

The Director of Opportunities for Ohioans with Disabilities (OOD) along with the program manager of Accessible Ohio and their legislative liaison will be hosting a webinar on September 6 regarding [Accessible Ohio](#). CCAO will be the only participants on the call and the director prefers a dialogue as opposed to them presenting to us.

Accessible Ohio was created by the recently passed budget as program that allows OOD to find grant opportunities to allow local governments and businesses to obtain grants to make certain areas more accessible with people with disabilities.

The initiative creates the first-ever coordinated effort in Ohio to support cities, counties, state agencies, attractions, and venues in an effort to become more accessible and inclusive. Ohio will lead the way in fostering a sense of community and belonging that strengthens the state for all of its citizens.

Accessible Ohio aims to make Ohio a global leader in public accessibility, encouraging businesses to locate in Ohio, and visitors to prioritize travel to our state. OOD will support Ohio's public and private entities in their endeavors to become accessible and inclusive. Accessible Ohio specialists will be on hand to work directly with local partners to identify barriers to access and establish goals for accessibility through customized consultations.

Please mark your calendars and plan to attend September 6th from 3-4 p.m. You can [register for the webinar here](#).