



STATEHOUSE REPORT

Published by: County Commissioners Association of Ohio

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December 1, 2023

Advocacy Call: Budget clean up items

With the first half of the 135th General Assembly coming to a close, CCAO will be focusing on specific items of interest that will impact county governments. Earlier this year, the 135th General Assembly passed the operating budget which includes state funding for FY 2024 & FY 2025. CCAO was successful in getting our legislative priorities included within the final passed version of the operating budget. However, CCAO is seeking, and encourages members to reach out to their legislators to advocate for language that would cleanup the following legislative items:

Indigent Defense Reimbursement Rate Cap

HB 33 contains temporary law language that caps the maximum amount that a county can receive for reimbursement at \$75 an hour. Currently, capital cases are supposed to be reimbursed at \$140 an hour, and the temporary law language does not differentiate between capital and non-capital cases. This omission results in counties receiving less money in reimbursement for capital cases. Therefore, CCAO will be requesting a modification to temporary law to allow for capital case reimbursement to be capped at \$140 an hour.

Next Generation 9-1-1 (NG 9-1-1)

HB 33 contains language in R.C. 128.419 that exempts customers with a cell phone bill that is under \$5 a month from paying the new 40 cent per month NG 9-1-1 access fee. However, the language contained a drafting error that could potentially lead to the 40 cent NG 9-1-1 access fee not being collected on any wireless device. If that is the case, counties would stand to lose a significant amount of revenue. Therefore, CCAO will be requesting an amendment that would remove this language by deleting R.C. 128.419 in its entirety.

E-Pollbook Replacement

HB 33 contained language that modified how e-pollbook replacement funding flows to the counties. Prior law required the funding to go to the board of commissioners first, and then the board would distribute it to the board of elections. HB 33 required the funding to go directly to the board of elections instead. CCAO, in consultation with the Ohio Association of

Elections Officials, is requesting language that would require the funding be sent to the board of commissioners.

There are likely only two session days remaining this year. There will be session in both chambers on December 6th and possibly session in both chambers on December 13th. CCAO anticipates the General Assembly will put together a “budget cleanup” bill, which is also known as a “Christmas tree” bill during the remaining weeks this year. CCAO would encourage you to reach out to your legislators this week or next to help us advocate for our items to be included in the budget cleanup bill. All of our items directly impact county budgets and your support will greatly assist our efforts in Columbus.

CCAO to host members and key staff-only webinar with General Assembly budget directors

To help CCAO members get a firmer understanding of the ins and outs of the capital budget, as well as tips on how to strategically request community project funds, the budget directors for both chambers of the General Assembly have agreed to talk with our members. Dan Baker is the budget director for the House of Representatives and Ray DiRossi is the budget director for the Senate.

The webinar will be held on [Monday, December 4, from 2:30 p.m. to 3:30 p.m.](#), with the intent of saving the majority of the hour for Q&A.

We encourage members to attend the webinar to learn strategies and tips to increase your chances of securing community project funding. The budget directors can explain do's and don'ts for applications, what they look for in successful applications, and more.

Please note that this webinar is open only to county commissioners, executives, council members, other county elected officials, and key staff such as administrators and clerks.

You can register for the webinar [here](#).

Overview of Issue 2 landscape

While no legislative action has yet been taken on potential changes to the recently-passed Issue 2, an initiated statute that placed [Chapter 3780](#), regarding adult use cannabis, into the Revised Code, CCAO would like to inform our members of current developments on the policy area, since it could evolve rapidly.

First, as background, CCAO recently published a [County Advisory Bulletin regarding Issue 2](#) for members to quickly familiarize themselves with the provisions of the new [Chapter 3780](#). The key aspect for counties to know is that sales of adult use cannabis would be subject to state and local sales taxes. There is little county involvement otherwise.

Additionally, David Riepenhoff, an attorney and partner with Fishel Downey Albrecht & Riepenhoff, LLP, hosted a webinar with CCAO members to help explain the employer rights aspect of the new statute. A [recording of the webinar](#) and [the presentation](#) are available.

Two bills have been introduced in the House of Representatives regarding the new law. The first, [House Bill 326](#) (Representative Cindy Abrams) is an intent bill, expressing the intent to fund peace officer training with a portion of the tax revenue from adult use cannabis. Since it is an intent bill, it does not contain any legislative language, so it is unclear if the "portion of tax revenue" refers to a portion of the revenue generated by the state's sales tax or a portion of the 10% excise tax on adult use cannabis sales. The bill has been referred to the House Homeland Security Committee.

The second bill, [House Bill 341](#) (Representative Gary Click), contains legislative changes to [Chapter 3780](#). They include altering the distribution of revenue from the excise tax to provide revenue to the Ohio Department of Mental Health and Addiction Services (OMHAS) to provide general addiction services (this is in addition to the preexisting revenue to OMHAS specifically for opiate abuse and related research) and providing revenue for law enforcement grants (to be administered by the Attorney General). The bill would also allow townships and municipalities to ban adult use cannabis within their jurisdiction. The bill has not yet been referred to a committee.

Finally, the Ohio Chamber of Commerce recently issued recommendations for allocation of revenue from the excise tax. The Chamber suggests eliminating the current distribution set-up and instead allocating revenue as follows:

- One-third of the revenue to the state General Fund (with portions set aside for the Highway Patrol, the Department of Commerce, and the Department of Taxation);
- One-third to the Local Government Fund (with language included to require a portion of the funds to go to public safety purposes such as county sheriffs, local fire/EMS departments, and other law enforcement agencies);
- One-third to the OneOhio Recovery Foundation (the Chamber recommends it be used by the Foundation to create a loan repayment program for individuals pursuing careers in the behavioral health and recovery services fields).

CCAO does not have a position at this time on potential changes to [Chapter 3780](#). However, we are monitoring the developing policies around Issue 2 and its implementation. We plan to submit a formal request to have a portion of the funding flow to counties in a flexible manner to fund "criminal justice programs" in the county.

Indigent Defense System Task Force's first meeting delayed to January

This week, the Indigent Defense System Task Force announced that its first meeting will now take place during January, although the specific date is not yet finalized. The Task Force had earlier intended to have the first hearing during the first two weeks of December.

The Task Force's agenda for the first meeting will be to hear from those that participated in a separate task force organized by the Ohio State Bar Association (OSBA). CCAO was an active participant in OSBA's task force, as were other key indigent defense stakeholders such as the Ohio Public Defender, the Ohio Judicial Conference, and the Ohio Prosecuting Attorneys Association.

As a reminder, CCAO appointed one member to the 17-member Task Force. Fairfield County Commission Steven Davis is the CCAO representative.

If you have comments or concerns that you would like CCAO to convey to the Task Force, please contact Managing Director of Policy, Kyle Petty at kpetty@ccao.org or 740-503-6088.

Legislative Activity

Floor Votes

The following bills that may be of interest to counties received floor votes by a chamber of the General Assembly this week.

House of Representatives

- [House Bill 254](#) (Representative Jim Hoops and Representative Thaddeus Claggett): To authorize certain public bodies to meet virtually.
 - **PASSED (73-3)**

Committee Hearings

Several bills of interest to counties received hearings this week across different committees.

Senate Ways & Means

- [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.
 - First hearing, sponsor testimony and proponent testimony from the Ohio Realtors and the Ohio Farm Bureau Federation.

House Civil Justice

- [House Bill 265](#) (Representative Scott Wiggam and Representative Thomas Hall): To exempt redaction request forms, affidavits, and the records of the work schedules of designated public service workers from disclosure under public records law.
 - Second hearing, proponent testimony from the Ohio Professional Fire Fighters and six public safety workers.
 - **AMENDED** to clarify which former public service workers the scope of the bill covers and to clarify that "work schedule" does not include the docket of a judge or magistrate.

- [House Bill 305](#) (Representative Brian Stewart and Representative Richard Brown): To provide for the electronic filing of pleadings or documents in courts of common pleas except a probate or juvenile court, in municipal courts, and in county courts, to permit the clerk to disburse funds for the computerization of the clerk's office without the court's authorization, and to permit municipal and county courts to increase the maximum amount of their additional fees from ten dollars to twenty dollars to cover the computerization of the clerk's office.
 - Third hearing, no testimony.
 - **FAVORABLY REPORTED 13-0.**

House State and Local Government

- [House Bill 238](#) (Representative Sarah Fowler Arthur and Representative Roy Klopfenstein): To revise and streamline the state's occupational regulations.
 - First hearing, sponsor testimony and proponent testimony from Big Dog Bounce and interested party testimony from the Ohio Realtors, the Ohio State School of Cosmetology and The Spa School, the Ohio Association of Cosmetology Schools, and five other organizations.

House Pensions

- [House Bill 296](#) (Representative Cindy Abrams and Representative Thomas Hall): To increase contribution amounts that employers of full-time municipal police officers must make to the Ohio Police and Fire Pension Fund.
 - Third hearing, opponent testimony from the Ohio Municipal League, the Ohio Mayors Alliance, city officials from 19 cities, and one private individual.

House Ways & Means

- [House Bill 254](#) (Representative Tracy Richardson and Representative Adam Holmes): To expand and enhance the homestead property tax exemption for disabled veterans.
 - Second hearing, proponent testimony from USA Cares Inc, Vet-Up/Veterans Steeping Up for Change, the Ohio State Association of Veterans Service Commissioners, and eight other organizations representing Ohio veterans.
- [House Bill 263](#) (Representative Dani Isaacsohn and Representative Thomas Hall): To authorize a property tax freeze for certain owner-occupied homes.
 - Third hearing, no testimony.

Introduction of Bills

The following bill(s) that may be of interest to counties were introduced this week:

- [House Bill 341](#) (Representative Gary Click): To revise the law regarding adult use marijuana.
- [House Bill 344](#) (Representative Adam Mathews and Representative Thomas Hall): To eliminate the authority to levy replacement property tax levies and to modify the law governing certain property tax complaints.

Upcoming Committee Hearings

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

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

Tuesday, December 5

House State and Local Government (11:00 a.m.)

- [House Bill 238](#) (Representative Sarah Fowler Arthur and Representative Roy Klopfenstein): To revise and streamline the state's occupational regulations.
 - Second hearing, all testimony

House Government Oversight (11:00 a.m.)

- [House Bill 210](#) (Representative Jennifer Gross and Representative Gary Click): To require an elector to register as a member of a political party by a certain deadline in order to participate in that party's primary election.
 - First hearing, sponsor testimony
- [Senate Bill 91](#) (Senator Tim Schaffer): Regards fraud, waste, and abuse of public funds.
 - Second hearing, proponent testimony
 - **POSSIBLE AMENDMENTS**

House Armed Services and Veterans Affairs (1:00 p.m.)

- [House Bill 69](#) (Representative Brian Stewart and Representative Bernard Willis): To require county veterans service commissions to include two members who served in the military after September 11, 2001, and to require one member of the commission to be appointed by the board of county commissioners.
 - Second hearing, all testimony

Senate Ways and Means (2:00 p.m.)

- [House Bill 187](#) (Representative Thomas Hall and Representative Adam Bird): To modify the procedures used to value real property for tax purposes and to abate property taxes on certain municipal and community improvement corporation property.
 - Second hearing, all testimony

House Ways and Means (3:30 p.m.)

- [House Bill 274](#) (Representative Adam Mathews and Representative Richard Dell'Aquila): To authorize an enhanced property tax homestead exemption for certain long-term homeowners.
 - Second hearing, proponent testimony
- [House Bill 254](#) (Representative Tracy Richardson and Representative Adam Holmes): To expand and enhance the homestead property tax exemption for disabled veterans.
 - Third hearing, opponent testimony

Wednesday, December 6

[Senate Ways and Means](#) (2:00 p.m.)

- [House Bill 187](#) (Representative Thomas Hall and Representative Adam Bird): To modify the procedures used to value real property for tax purposes and to abate property taxes on certain municipal and community improvement corporation property.
 - Third hearing, no testimony
 - **POSSIBLE VOTE**