



STATEHOUSE REPORT

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CCAO testifies as an interested party to the Township Omnibus Bill

At the April 23 meeting of the House State and Local Government Committee, Senior Policy Analyst Jon Honeck provided [interested party testimony](#) on [House Bill 315](#) (Representative Thomas Hall and Representative Bill Seitz), the township omnibus bill.

Honeck began his testimony by thanking Representatives Hall and Seitz for the bill's inclusion of \$3 million in grants to assist local governments in updating their land use plans and zoning codes. As local governments struggle with housing shortages, these funds will be very helpful for townships, counties, and other local governments to modernize their policies and codes.

Honeck also commended the inclusion of notice provisions that remove the requirements for townships to publish certain official notices in a newspaper. While counties are not included in the provisions, their inclusion in the bill shows the growing recognition that, as newspapers shut down or move entirely online, public notice requirements must change to reflect the current media landscape.

After applauding those two provisions, Honeck moved to an aspect of the bill that CCAO opposes. HB 315 allows urban townships (generally, those with a population of at least 15,000 in its unincorporated area) that have adopted limited home rule to create new community authorities (NCAs).

An NCA is a body corporate and politic governed by a board of trustees to assist in planning and development of a defined area under the long-term control of a private developer or political subdivision. Traditionally, NCAs have only been able to be created by a municipality or the county. NCAs can implement development charges within the district to finance infrastructure, facilities, land acquisition, engineering, and/or utilities necessary for development. This development charge can take several forms:

- An amount based on the assessed valuation of property within the NCA;

- An income tax on residents of the NCA;
- A charge based on profits, gross receipts, or revenues of the businesses in the district, including but not limited to rentals received from leases of property in the NCA;
- A uniform or other fee on each parcel of real property in the NCA;
- Any combination of the aforementioned forms.

The HB 315 provision would be the second change to NCA law in less than a year. In House Bill 33, the state's operating budget, townships with a population of at least 5,000 which are located in counties with a population of between 200,000 and 400,000 were given the power to create an NCA without an agreement by the board of county commissioners. There are 53 townships that this provision applies to, located in Butler, Clermont, Lake, Lorain, Mahoning, Stark, Trumbull, and Warren counties. It is unclear if any of these townships have enacted an NCA yet.

The provision in HB 315 would extend NCA-creation powers to between 10 and 15 additional townships.

County commissioners already work with their townships when considering whether to implement an NCA. CCAO believes that it is unnecessary to remove the commissioners from the process and that doing so is detrimental to local governments working collectively for the betterment of their communities.

During questioning from committee members, Honeck informed the committee that CCAO has been engaged with the sponsors and with the Ohio Township Association on potential changes to the NCA provisions.

You can view Honeck's testimony to the [House State and Local Government Committee here](#), beginning at the 28:40 mark.

[Ohio REALTORS](#) provided written proponent testimony and the [Ohio Municipal League](#) provided written interested party testimony.

Representatives Stewart and Klopfenstein introduced CCAO-backed County Omnibus Bill

This week, Representative Brian Stewart (a former Pickaway County Commissioner) and Representative Roy Klopfenstein (a former Paulding County Commissioner) introduced [House Bill 497](#), the county omnibus bill. CCAO worked with the bill sponsors to introduce this bill that would "clean up" several administrative items for counties in the Revised Code.

The following provisions are included in HB 497.

Approval of plans for courthouse or jail projects

The bill allows boards of commissioners to approve courthouse or jail renovation/repair projects that fall under \$25,000 without the approval of the clerk of court of common pleas,

the sheriff, the probate judge, and the appointee of the judge of the court of common pleas. The board of commissioners may seek the advice of these elected officials. If the project is over the \$25,000 threshold, the current approval process in R.C. 153.36 remains in effect.

Contracts submitted to prosecuting attorney

The bill increases the dollar threshold for contracts the board of commissioners must submit to the county prosecutor for approval to \$20,000. This statute was last updated in 1953. The language also allows for contract certification by any duly appointed legal counsel of the board of commissioners for projects under this threshold.

Resolutions for disposing unneeded personal property

The bill raises the dollar threshold for the board of county commissioners to pass a resolution to sell or donate unnecessary or obsolete personal property to \$5,000.

Locations of construction plans

The bill changes the location for holding construction plans, drawings, representations, bills of material, specifications of work and estimates for public improvements, the building of a county home, the building of a children's home, and courthouse or jail renovation/repair projects under \$25,000 to the board of commissioners. Current law requires the county auditor to keep these items.

Transportation Improvement District legal services

The bill allows Transportation Improvement Districts (TIDs) to contract with the county prosecuting attorney for legal services.

Designating county depositories

The bill modifies the length of time that a county can add a public depository in R.C. 135.33(A) from "every four years" to "at least every two years."

Definition of "private practice of medicine"

The bill clarifies that "private practice of medicine" does not include performing an autopsy at the request of another coroner.

Coroner expert witness fees

The bill aligns the fees at \$350 per hour that a coroner or deputy coroner can charge for providing for expert testimony at a trial, hearing, or deposition in a civil action.

We encourage you to contact your legislators and ask them to support HB 497. The following representatives are cosponsors of the bill at the time of introduction: Tim Barhorst, Thaddeus Claggett, Rodney Creech (former Preble County Commissioner), Bill Dean, Jim Hoops, Mark Johnson, Brian Lorenz, Bob Peterson (former Fayette County Commissioner), Bill Seitz, and Scott Wiggam (former Wayne County Commissioner).

CCAO will provide updates on HB 497 as it moves through the legislative process. If you are interested in providing testimony or have questions about the bill, please contact Outreach

& Member Engagement Manager Rachel Reedy at rreedy@ccao.org.

Commissioners testify on natural gas pipeline bills, property protection; county-related bills move

Washington County Commissioner Schilling, CCAO testify on gas pipeline bill

On Tuesday, Washington County Commissioner Charlie Schilling gave testimony in support of [House Bill 349](#) (Representative Tim Barhorst and Representative Don Jones). The bill gives local governments the authority to designate an area as an “Energize Ohio Zone” which provides incentives for the development of natural gas lines.

[Commissioner Schilling’s testimony](#) stressed the importance of building infrastructure to access natural gas pipelines. He mentioned that the Southeastern Ohio Port Authority recently acquired the Muskingum River Industrial Park, which sits less than a mile from three large interstate natural gas pipelines. In 2021, the port authority entered negotiations with a developer for a \$100 million facility. However, the facility ended up locating in Texas due to the need to extend the gas lines to the proposed site. An “Energize Ohio Zone” would have allowed the port authority to offer incentives to help defray the cost of extending the gas lines.

You can view Commissioner Schilling’s testimony to the [House Economic and Workforce Development Committee here](#), beginning at the 16:05 mark.

CCAO Policy Analyst James Kennedy provided [written proponent testimony](#) as well. In addition to the economic development benefits that Commissioner Schilling highlighted in his testimony, Kennedy discussed that the incentives could prove useful to develop housing in areas rich in natural gas by easing the ability to bring utility services to new housing developments.

If you have questions concerning HB 349, you can contact Kennedy at jkennedy@ccao.org.

Greene County Commissioner Perales advocates for property protection bills

Also on Tuesday, Greene County Commissioner Rick Perales provided testimony on his own behalf as a concerned citizen on two bills moving through the General Assembly.

[House Bill 212](#) (Representative Angela King and Representative Roy Klopfenstein) and [Senate Bill 226](#) (Senator Terry Johnson) both would enact the “Ohio Property Protection Act” and generally prohibits certain entities from owning certain types of land in Ohio. HB 212 received its second hearing in the House Civil Justice Committee while SB 226 received its second in the Veterans and Public Safety Committee.

In his testimony to both committees, Commissioner Perales cited statements from current and former national security officials of the risk that allowing foreign entities to purchase land near critical infrastructure facilities may pose. He also cited the importance of the role

the state can play by restricting land acquisition, given the federal government's limited ability to monitor land purchases across the country.

You can read Commissioner Perales' testimony to the [House committee here](#) and the [Senate committee here](#). Additionally, you can watch his [House Civil Justice testimony here](#) (starting at the 2:23:45 mark) and his [Senate Veterans and Public Safety testimony here](#) (starting at the 1:18:33 mark).

Additionally, Darke County Commissioner Mathew Aultman provided written testimony in support of HB 212. In his testimony, [accessible here](#), Commissioner Aultman cites his experience both as a farmer and as a commissioner in weighing the balance between the importance of attracting investors for economic development and the importance of ensuring public safety and security.

House State and Local Government Committee reports two county-related bills

At its meeting on Tuesday, the House State and Local Government Committee unanimously favorably reported two bills that have county effects.

First, [House Bill 30](#) (Representative Latyna Humphrey) requires municipal and county correctional facilities and Department of Rehabilitation and Correction (DRC) institutions that house female inmates to provide inmates experiencing a menstrual cycle with an adequate supply of feminine hygiene products at no cost and access to hot water showers at least once a day. According to LSC and DRC, this is already common practice, so the bill is not anticipated to increase costs to counties. CCAO did not take a position on the bill.

Second, [House Bill 271](#) (Representative Adam Mathews and Representative Bob Peterson) requires that state issues or questions on the ballot beginning with the general election in November 2024 must be numbered consecutively, beginning at 1. For example, if there are two statewide issues on the ballot this November, they would be titled Issue 1 and Issue 2. Then, if there is an issue on a statewide ballot next year, it would be titled Issue 3. LSC does not anticipate any cost to either the Secretary of State or county boards of elections. CCAO did not take a position on the bill, but Vice-Chair of the CCAO-OAEO Joint Committee on Elections and Erie County Commissioner Matt Old provided [proponent testimony](#) on his own behalf.

Both bills now go to the House Committee on Rules and Reference for possible scheduling for a floor vote.

CCAO to provide invited testimony to Joint Committee on Property Tax Review and Reform next week

Next Wednesday, CCAO will provide invited testimony to the Joint Committee on Property Tax Review and Reform. The current plan will have CCAO providing in-person remarks for between 20 and 30 minutes with questions from committee members to follow.

The policy staff is encouraging members from across the state, even if you will be unable to attend the committee, to provide written comments to help educate the committee on property tax issues in your county.

If you are interested in submitting written testimony, please contact Senior Policy Analyst Jon Honeck at [jhoneyck@ccao.org](mailto:jhoneck@ccao.org) or 614-220-7982.

Legislative Activity

Committee Hearings

The following committees held hearings this week regarding bills that may be of interest to counties.

House Behavioral Health

- [House Bill 352](#) (Representative Rachel Baker and Representative Sara Carruthers): To establish the Adverse Childhood Experience Commission.
 - Second hearing, proponent testimony from Groundwork Ohio, the Public Children Services Association of Ohio (PCSAO), Franklin County Public Health, the Ohio School Psychologists Association, and sixteen others.
 - **AMENDED** to include additional members to the commission, including one representative from PCSAO.

House Civil Justice

- [House Bill 390](#) (Representative Richard Brown and Representative D.J. Swearingen): To revise the law relating to the notice of excess funds in real property foreclosure sales.
 - Second hearing, proponent testimony from the Fairfield County Clerk of Courts, the Pacific Legal Foundation, the Self Storage Association, and Ohio REALTORS.

House Commerce and Labor

- [House Bill 327](#) (Representative Scott Wiggam and Representative D.J. Swearingen): To require certain contractors and employers to use E-Verify.
 - Third hearing, opponent testimony from the Central Ohio Worker Center.
 - **AMENDED** to exempt a covered employee from the requirement to verify E-Verify if the employer already used E-Verify on them (such as a rehire situation).

House Economic and Workforce Development

- [House Bill 375](#) (Representative Steve Demetriou and Representative Tom Patton): To make changes to the law relating to tax foreclosures and county land reutilization corporations.
 - First hearing, sponsor testimony

House Government Oversight

- [House Bill 430](#) (Representative Roy Klopfenstein and Representative Elgin Rodgers, Jr.): Regarding county engineers
 - Second hearing, proponent testimony from CEO President and Mahoning County Engineer Pat Ginnetti, Gallia County Engineer Bret Boothe, and Lucas County Engineer Mike Pnieski.

House Ways and Means

- [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.
 - Fifth hearing, proponent testimony from Ohio REALTORS, opponent testimony from the Ohio Parks and Recreation Association.
- [House Bill 347](#) (Representative Don Jones): To presume certain trailers and vehicles are sold for agricultural purposes and thus exempt from sales and use tax when sold to established farmers.
 - Fifth hearing, no testimony
 - **AMENDED** to codify a process for eligibility review currently discretionary.
- [House Bill 378](#) (Representative Brian Lorenz and Representative Nick Santucci): To authorize a full homestead exemption for surviving spouses of members of the uniformed services killed in the line of duty.
 - Second hearing, proponent testimony from two private individuals, Secretary of State Frank LaRose, and the Patrick J. Tiberi Leadership Institute.
 - **AMENDED** to codify a process for eligibility review currently discretionary.
- [House Bill 424](#) (Representative Beth Lear): To modify the sales and use taxation of delivery network services.
 - Second hearing, proponent testimony from Instacart, Americans for Prosperity – Ohio, and a private individual.

House Public Utilities

- [House Bill 369](#) (Representative Mike Skindell): To eliminate the 10-year limitation on county utility supply contracts.
 - First hearing, sponsor testimony.
- [House Bill 197](#) (Representative Jim Hoops and Representative Sharon Ray): To establish the community solar pilot program and the solar development program.
 - Fifth hearing, proponent testimony from more than 50 organizations and private individuals.

Senate Judiciary

- [House Bill 305](#) (Representative Brian Steward 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.

- Second hearing, proponent testimony from the Ohio Association of Municipal and County Court Clerks, the Ohio Clerk of Courts Association, the ACLU, the Franklin County Municipal Court Clerk, and the Ohio State Bar Association.

Senate General Government

- [Senate Bill 173](#) (Senator Bill DeMora and Senator Theresa Gavarone): To specify that election officials are designated public service workers for purposes of the public records law.
 - Second hearing, proponent testimony from the Franklin County Board of Elections, the Cuyahoga County Board of Elections, the League of Women Voters, and one private individual.
- [Senate Bill 137](#) (Senator Theresa Gavarone and Senator Bill DeMora): To generally prohibit the use of ranked choice voting and to withhold Local Government Fund distributions from a municipality or chartered county that uses ranked choice voting.
 - Fourth hearing, opponent testimony from Business for Democracy Ohio/Ohio Sustainable Business Council, the League of Women Voters, RepresentWomen, and 15 private individuals, and interested party testimony from one private individual.

Introduction of Bills

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

- [House Bill 496](#) (Representative Jim Hoops): To revise the law governing property taxes and county auditors.
- [House Bill 497](#) (Representative Brian Stewart and Representative Roy Klopfenstein): To make various changes regarding county law.
- [House Bill 499](#) (Representative Dani Isaacsohn and Representative Adam Mathews): To create grant programs for housing developments near megaprojects and for townships and municipalities that adopt pro-housing policies, to modify the community reinvestment area law relating to residential property, and to limit the 10% nonbusiness property tax credit.
- [Senate Bill 247](#) (Senator George Lang): To establish the community solar pilot program.
- [Senate Bill 249](#) (Senator Michele Reynolds and Senator Hearcel Craig): To provide grants to qualifying applicants for mortgage, property tax, and utility bill assistance.

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, April 30

House Civil Justice (2:30 p.m.)

- [House Bill 390](#) (Representative Richard Brown and Representative D.J. Swearingen): To revise the law relating to the notice of excess funds in real property foreclosure sales.
 - Third hearing, all testimony
 - **POSSIBLE AMENDMENTS**
- [House Bill 413](#) (Representative Sarah Fowler Arthur): To replace two part-time judgeships in the Ashtabula County County Court with one full-time judge and to include the village of North Kingsville and Kingsville, Monroe, and Sheffield Townships within the territorial jurisdiction of the Conneaut Municipal Court.
 - Second hearing, proponent testimony

House Ways and Means (2:30 p.m.)

- [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.
 - Sixth hearing, all testimony
 - **POSSIBLE AMENDMENTS**
 - **POSSIBLE VOTE**
- [House Bill 347](#) (Representative Don Jones): To presume certain trailers and vehicles are sold for agricultural purposes and thus exempt from sales and use tax when sold to established farmers.
 - Sixth hearing, all testimony
 - **POSSIBLE AMENDMENTS**
 - **POSSIBLE VOTE**
- [House Bill 378](#) (Representative Brian Lorenz and Representative Nick Santucci): To authorize a full homestead exemption for surviving spouses of members of the uniformed services killed in the line of duty.
 - Third hearing, opponent testimony
- [House Bill 424](#) (Representative Beth Lear): To modify the sales and use taxation of delivery network services.
 - Third hearing, opponent testimony

Wednesday, May 1

House Energy and Natural Resources (10:00 a.m.)

- [Senate Bill 119](#) (Senator Bill Reineke): To make changes to the laws governing the transfer and disposal of solid waste and construction and demolition debris, including increasing certain fees.
 - Fourth hearing, all testimony