



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

May 10, 2024

Both General Assembly chambers hold session, take action on county-related bills

This week, the House and Senate both returned and held lively sessions. Each chamber passed bills of interest to counties.

House

The House considered ten bills, several of which are of interest to counties.

First, the House unanimously passed [House Bill 265](#) (Representative Scott Wiggam and Representative Thomas Hall) which exempts redaction request forms, affidavits, and work schedules for designated public service workers from public records law for a prescribed period of years. The bill came about after Wayne County firefighters reported their schedules were being obtained through records requests and their families being harassed while they were at work.

Wayne County Commissioner Jon Hofstetter provided proponent testimony on behalf of CCAO regarding the bill.

Next, the chamber unanimously passed [House Bill 271](#) (Representative Adam Mathews and Representative Bob Peterson) which requires state questions and issues appearing on the ballot be numbered consecutively based on the prior election, until the state hits Issue 500, at which point it will reset. The bill seeks to reduce confusion over what each ballot issue contains, such as in 2024 when there was an Issue 1 on the August ballot and an Issue 1 on the November ballot.

Erie County Commissioner Matt Old testified in support of the bill.

Next, the House also unanimously passed [House Bill 347](#) (Representative Don Jones) which clarifies eligibility for an existing sales and use tax exemption for certain trailers and vehicles that are purchased for agricultural purposes. CCAO worked with the sponsor and other

interested parties and believes that there will be minimal impact on sales tax revenues since the bill does not broaden the existing exemption.

Finally, the House concurred with amendments made in the Senate to an education bill, [House Bill 250](#) (Representative Jessica Miranda and Representative Tracy Richardson). While the majority of the bill is education-related (including adopting a cell phone policy for students in school), it also includes an appropriation for the Adoption Grant Program, which had nearly run out of funds. The program provides a one-time payment to adoptive parents. The program is administered by the Ohio Department of Job and Family Services.

With the House's concurrence, the bill goes to Governor Mike DeWine for his signature. The other bills will now move to the Senate for consideration.

Senate

The Senate considered eight bills, one of which has county implications. [Senate Bill 94](#) (Senator Andrew Brenner and Senator Al Landis) imposes new digitization and electronic recording requirements on county auditors and partially offsets expected increases in costs via state grants and the ability for recorders to create a document preservation surcharge.

The bill requires recorders to make electronic indices and electronic versions of instruments back to January 1, 1980, available via the recorder's website by June 30, 2026. Additionally, by the same date, county recorders, auditors, and engineers must provide an electronic method of recording instruments pertaining to real estate conveyances. The bill creates a \$5 document preservation surcharge that will be deposited entirely into the county general fund, as opposed to sending half to the general fund and half to the Ohio Housing Trust Fund as is practice for other recorder fees.

CCAO did not take a position on the bill in the Senate. The bill will now move to the House for consideration.

Commissioner Matt Old, CCAO testify on county engineer vacancy bill

This week, the House Government Oversight held its third on [House Bill 430](#) (Representative Roy Klopfenstein and Representative Elgin Rogers, Jr.). The bill would allow for a board of county commissioners to contract with another county engineer to fulfill the duties of a county engineer office if the county engineer office is vacant. The bill also removes the statutory salary adjustment if a county engineer has an outside engineering practice, which would affect one or two county engineers according to the County Engineers Association of Ohio (CEAO).

During the hearing, CCAO Managing Director of Policy Kyle Petty [provided interested party testimony](#) regarding bill, specifically requesting three changes be incorporated:

- Allow the board of commissioners to negotiate a reasonable salary with an adjacent county engineer if the county's engineer office is vacant. This language would replace the bill's current language that requires the county to pay the county engineer's full

statutory salary. The proposed language would mirror the language in R.C. 314.04, which allows counties to contact with other county coroners for services;

- Require that the board of commissioners from the county with a vacant county engineer and the board of commissioners for the county engineer who is being approached to fill the vacancy to both approve of the contract for services; and
- Allow the board of commissioners to contract with a private engineer or private surveyor to fill the duties of a vacant county engineer in addition to the ability to contract with an adjacent county engineer.

Erie County Commissioner Matt Old [also provided interested party testimony](#) on HB 430. Commissioner Old provided the committee with statistics about the number of citizens that are eligible to run for county engineer in various counties, as well as how other states handle the position of county engineer.

You can view a recording of the testimonies on the [Ohio Channel](#). Petty's testimony begins at the 55:01 mark and Commissioner Old's begins at the 58:46 mark.

Following our testimony, the House Government Oversight Committee voted HB 430 out of committee. CCAO will continue to work with the bill sponsors, CEAO, and members of the Senate to adopt our proposed changes to HB 430. It is important to reach out to your Senators and highlight the need to adopt our proposed changes to HB 430.

If you have questions or need any additional information, please contact Rachel Reedy at rreedy@ccao.org.

Property Tax Review Committee hears open testimony from commissioners, others

The Joint Committee on Property Tax Review and Reform heard open testimony during its hearing Wednesday. The second witness was Butler County Commissioner Don Dixon, who [discussed his county's experience](#) with valuation updates and tax abatements and made suggestions for reform. Commissioner Dixon informed the committee that Butler County experienced a 42% average valuation increase in 2023, but the Tax Commissioner did not allow the auditor to use a three-year average, which would have brought the increase down to 25%. He made the following recommendations for further reform:

o Restructuring the 20-mill floor for city and local school districts is an endeavor that must be studied, and modifications must be enacted.

o Amending municipal, township, and county statutes which permit tax exemptions, and creating limitations to taxable value that can be exempted. This way developers can't "shop" for the best abatement or tax incentive, pitting community against community, even within the same county.

“If the State legislature wants to protect the property owner and taxpayers, it must make a concerted effort to restore tax exemptions for the purpose and benefit to which they were intended, including Enterprise Zones (tax abatements) and Tax Increment Financing (TIF) and establish common guidelines for political subdivisions to uniformly compete,” he added.

Darke County Commissioner Matt Aultman also spoke at the hearing on behalf of the Ohio Farm Bureau Federation. His [testimony](#) focused on trends in CAUV and the importance of CAUV to Ohio farmers. CAUV should not be only viewed as a tax saving tool for our members, it must also be seen as a farmland preservation tool,” he told the committee. “This program allows me to remain profitable and implement new practices on my operation that keep me competitive,” he added. He also reminded the committee that Ohio has lost nearly 300,000 acres of farmland in the last 5 years, and that CAUV should not be viewed as a barrier to development.

Another witness was Dr. Howard Fleeter of the Education Tax Policy Institute. Dr. Fleeter reviewed trends in school levies since the introduction of House Bill 920 in the mid-1970s. “HB 920 is the most restrictive property tax limitation in the country because “it allows no inflationary growth on voted levies,” he told the committee. His [testimony](#) contains a number of interesting data points, including a historical analysis of reappraisal increases back to 2005 showing that the 34.7% increase in Class I valuation in 2023 is by far the largest in recent years.

The committee will likely meet again on Wednesday, May 22 for a final hearing with open testimony.

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

Committee reports bill to revise notice of excess funds in foreclosure sales

This week, the House Civil Justice Committee favorably reported [House Bill 390](#) (Representative Richard Brown and Representative D. J. Swearingen), a bill to revise the law relating to the notice of excess funds in real property foreclosure sales. The bill is supported by the Ohio Clerk of Courts Association.

The bill requires that for all property foreclosure sales, including tax sales, the officer that makes the sale must deliver the excess funds to the clerk of court not later than 45 days after the confirmation of sale. The bill increases the threshold for notifying the judgement debtor by mail from \$100 to \$500 and requires the clerk to follow the same notice requirements relating to excess funds as required in other types of foreclosure.

If the clerk does not have the name or address of the judgement debtor, the bill authorizes the clerk to send notification by posting the notice to the judgement debtor on the clerk’s website, sending a text message to the judgement debtor, or posting the notice in a conspicuous place in the court where the foreclosure action commenced. For tax foreclosure

sales, the bill establishes a 90-day timeline for the clerk to send excess funds to the county treasurer from the day the final notice is provided.

During prior hearings, the committee discussed an amendment that would have prohibited using the Board of Revision to conduct an expedited delinquent tax foreclosure case for vacant and abandoned real property if the fair market value of the property exceeds the amount of the delinquent taxes. CCAO, along with the County Treasurers Association and the Ohio Land Bank Association testified against the amendment.

Ultimately, the committee advanced HB 390 without including the amendment, but is still considering this concept in [House Bill 153](#) (Representative Brett Hillyer), another land bank related bill, which has had three hearings thus far.

If you have questions regarding either HB 390 or HB 153, please contact Senior Policy Analyst Jon Honeck at jhoneck@ccao.org.

OBM Monthly Financial Report shows continued underperformance

This week, the Office of Budget and Management released [April revenue data](#), which showed a continuation of underperformance.

Total state General Revenue Fund (GRF) tax receipts were \$224.4 million below estimates, an 8.4% shortfall. The sales and use tax revenue was \$31.0 million (2.5%) below estimates, while the state personal income tax brought in \$154.8 million (12.7%) less than expected.

Year-to-date, total state GRF revenue is \$1.1 billion (3.2%) below estimates. YTD sales tax revenue has been close to expected, generating \$14.4 million (or 0.1%) less than initial estimates. The largest contributor to the underperformance is the personal income tax, which YTD has been short \$453.9 million (5.5%).

While sales tax revenue has been slightly below estimates, it has outperformed SFY 2023 by \$230.0 million (2.1%).

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 Experiences Study Commission.
 - Third hearing, proponent testimony from the two providers and a private individual and interested party testimony from the Health Policy Institute of Ohio.
 - **FAVORABLY REPORTED**

House Commerce and Labor

- [Senate Bill 96](#) (Senator George Lang and Senator Steve Wilson): To allow employers to post certain labor law notices on the internet.
 - Second hearing, proponent testimony from the National Federation of Independent Business and the Ohio Chamber of Commerce.

House Criminal Justice

- [House Bill 478](#) (Representative Jay Edwards and Representative Jeff LaRe): To provide for the expedited removal of unauthorized occupants of residential property and to prohibit the use and sale of fraudulent deeds.
 - First hearing, sponsor testimony
- [House Bill 480](#) (Representative Tom Young and Representative Steve Demetriou): To provide for the expedited removal of unauthorized occupants of residential property, to prohibit the use and sale of fraudulent deeds, and to declare an emergency.
 - First hearing, sponsor testimony

House Government Oversight

- [House Bill 471](#) (Representative Rodney Creech and Representative Angela King): To allow an elector who is not a member of a political party to protest a person's candidacy for that party's nomination on certain grounds.
 - First hearing, sponsor testimony
- [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.
 - First hearing, sponsor testimony
- [House Bill 331](#) (Representative Adam Mathews and Representative Tom Young): To modify the law regarding village dissolution.
 - Fourth hearing, interested party testimony from the Buckeye Institute and the Ohio Municipal League
 - **AMENDED** to change the entity that conducts the audit of services from the county budget commission to a body consisting of the county auditor, county treasurer, and one member of the board of county commissioners.
 - **FAVORABLY REPORTED**
- [House Bill 475](#) (Representative Josh Williams): To prohibit state funds from being given to any entity that supports, promotes, or provides abortions, to require counties and municipal corporations to report abortion-related spending, and to withhold and reallocate to pregnancy resource centers state local government funds from a county or municipal corporation that engages in such spending.
 - First hearing, sponsor testimony

House Ways and Means

- [House Bill 496](#) (Representative Jim Hoops): To revise the law governing property taxes and county auditors.
 - First hearing, sponsor testimony

- [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.
 - Fourth hearing, no testimony
- [House Bill 424](#) (Representative Beth Lear): To modify the sales and use taxation of delivery network services.
 - Fourth hearing, no testimony

Senate Judiciary

- [Senate Bill 176](#) (Senator Vernon Sykes and Senator Mark Romanchuk): To allow child support orders to be issued, modified, or extended for children over 18 with a disability.
 - Third hearing, no testimony
 - **FAVORABLY REPORTED**
- [Senate Bill 213](#) (Senator Jerry Cirino): To establish supported decision-making as a nonrestrictive alternative to guardianship for adults with developmental disabilities.
 - Second hearing, proponent testimony from Advocacy and Protective Services Inc., the Ohio Association of County Boards of Developmental Disabilities, Arc of Ohio, the Butler County Board of Developmental Disabilities, the Ohio Provider Resource Association, the Ohio Developmental Disabilities Council, and two private individuals.
- [House Bill 56](#) (Representative Phil Plummer and Representative Andrea White): To require law enforcement entities to train officers related to the pursuit of a motor vehicle and to increase penalties for fleeing from law enforcement and forms of stunt driving.
 - Third hearing, no testimony
 - **AMENDED** to remove provisions allowing for the seizure and forfeiture of vehicles used during street racing/stunt driving as a penalty of the offense and **AMENDED** to add a utility vehicle to the list of vehicles that can be used to commit a vehicular homicide or assault offense.

Senate Ways and Means

- [Senate Bill 224](#) (Senator Tim Schaffer): To modify the sales and use taxation of delivery network services.
 - First hearing, sponsor testimony and proponent testimony from the Institute for State Policy Leaders and Instacart.
- [Senate Bill 244](#) (Senator Michelle Reynolds and Senator Hearcel Craig): To authorize local governments to create residential stability zones where homeowners may qualify for a partial property tax exemption.
 - First hearing, sponsor testimony
- [Senate Bill 186](#) (Senator Lou Blessing, III and Senator Catherine Ingram): To require payment of property taxes and assessments when a lot is split or transferred and to generally prohibit tax-delinquent property owners from purchasing tax-foreclosed property.
 - Fourth hearing, no testimony

House Finance

- [House Bill 484](#) (Representative Andrea White and Representative Bill Roemer): To establish certain child care grant programs, including those related to child care capacity and learning labs, and to make an appropriation
 - First hearing, sponsor testimony
- [House Bill 71](#) (Representative Nick Santucci): To establish the Community Connectors Workforce Program and to make an appropriation.
 - First hearing, sponsor testimony
- [House Bill 464](#) (Representative Dontavious Jarrels and Representative Josh Williams): To establish the ‘A HAND UP’ pilot program, to designate this act as the Actionable Help And New Dignity for Upward Progression (A HAND UP) Act, and to make an appropriation.
 - First hearing, sponsor testimony
- [House Bill 396](#) (Representative Sean Brennan and Representative Josh Williams): To provide funding for the replacement of police dogs imprinted to detect marijuana, to reimburse those expenses from adult use excise tax revenue, and to make an appropriation.
 - First hearing, sponsor testimony

House Public Utilities

- [House Bill 197](#) (Representative Jim Hoops and Representative Sharon Ray): To establish the community solar pilot program and the solar development program.
 - Sixth hearing, opponent testimony from American Electric Power.

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.
 - Third hearing, no testimony

Senate Government Oversight

- [Senate Bill 240](#) (Senator Tim Schaffer): To make various changes to public assistance benefits programs.
 - First hearing, sponsor testimony

Senate Select Committee on Housing

- [Senate Bill 245](#) (Senator Michele Reynolds and Senator Hearcel Craig): To revise the law governing eviction, real estate representation agreements, residential building code enforcement, and real property transfers, and to amend the version of section 3781.10 of the Revised Code that is scheduled to take effect January 1, 2025, to continue the changes after that date.
 - First hearing, sponsor testimony

Introduction of Bills

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

- [Senate Bill 262](#) (Senator Catherine Ingram): To authorize a county to implement a motor fuel quality testing program.

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, May 14

[House Families and Aging](#) (11:00 a.m.)

- [House Bill 465](#) (Representative Sara Carruthers): To permit a resident of an ICF/IID to conduct electronic monitoring of the resident's room, to establish a new Medicaid home and community-based services waiver for individuals with developmental disabilities, and to name this act Lauren's Law.
 - Fourth hearing, no testimony
 - **POSSIBLE SUBSTITUTE BILL**
- [House Bill 512](#) (Representative Gail Pavliga): To create a streamlined licensure process for emergency placement facilities for children and to require the Ohio Family and Children First Cabinet Council to work with stakeholders to develop treatment and placement solutions for children with developmental or intellectual challenges and high acuity behaviors.
 - First hearing, sponsor testimony
 - **POSSIBLE SUBSTITUTE BILL**

[House Civil Justice](#) (1:00 p.m.)

- [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.
 - Third hearing, all testimony

[House State and Local Government](#) (1:00 p.m.)

- [House Bill 373](#) (Representative Scott Wiggam and Representative Brian Stewart): To authorize a clerk of court to conduct the required physical inspection of a motor vehicle in specified circumstances.
 - Second hearing, proponent testimony
- [House Bill 497](#) (Representative Brian Stewart and Representative Roy Klopfenstein): To make various changes regarding county law.
 - First hearing, sponsor testimony
- [House Bill 491](#) (Representative Tom Young and Representative Bob Peterson): To require a political subdivision or state retirement system to provide information on

expenditures to the Treasurer of State for inclusion in the Ohio State and Local Government Expenditure Database.

- First hearing, sponsor testimony
- [House Bill 85](#) (Representative Tom Patton): To expand the methods by which land banks can acquire delinquent property.
 - Third hearing, all testimony

House Ways and Means (3:00 p.m.)

- [House Bill 496](#) (Representative Jim Hoops): To revise the law governing property taxes and county auditors.
 - Second hearing, proponent testimony
- [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.
 - Fifth hearing, all testimony
 - **POSSIBLE VOTE**
- [House Bill 424](#) (Representative Beth Lear): To modify the sales and use taxation of delivery network services.
 - Fifth hearing, all testimony
 - **POSSIBLE VOTE**
- [House Bill 386](#) (Representative Adam Mathews and Representative Brian Lampton): To phase-out the state income tax on nonbusiness income over six years and to repeal the commercial activity tax after 2029.
 - Second hearing, proponent testimony

House Criminal Justice (3:00 p.m.)

- [House Bill 429](#) (Representative Gary Click and Representative Mark Johnson): Regarding traffic offenses in construction zones.
 - First hearing, sponsor testimony
- [House Bill 314](#) (Representative Adam Bird and Representative Josh Williams): To remove the option for the juvenile court to transfer a proceeding against a juvenile to the county where the juvenile resides.
 - Third hearing, opponent/interested party testimony
- [House Bill 478](#) (Representative Jay Edwards and Representative Jeff LaRe): To provide for the expedited removal of unauthorized occupants of residential property and to prohibit the use and sale of fraudulent deeds.
 - Second hearing, proponent testimony
- [House Bill 480](#) (Representative Tom Young and Representative Steve Demetriou): To provide for the expedited removal of unauthorized occupants of residential property, to prohibit the use and sale of fraudulent deeds, and to declare an emergency.
 - Second hearing, proponent testimony