



COUNTY ADVISORY BULLETIN

CAB

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NEW CONTINUING EDUCATION REQUIREMENTS FOR COUNTY AUDITORS

INTRODUCTION

Amended Substitute Senate Bill 158, effective May 8, 1996, established continuing education guidelines for all county auditors elected to a full term of office.

This CAB highlights the training provisions of S.B. 158, summarize all training/eligibility requirements for county auditors as well as highlights the financial impact of such training.

BACKGROUND

It is important to note that S.B. 158 addresses several issues affecting county auditors; establishing new training requirements is just one provision of the legislation.

S.B. 158 is considered benchmark legislation since it establishes the first training requirements for county auditors. As a result of S.B. 158, county auditors joined the ranks of county treasurers and sheriffs in having new training or eligibility standards apply to their office during 1996.

Failure to fulfill the training requirements does not affect a county auditor's right to hold office; however, voters always have the option of not re-electing a county auditor who fails to fulfill the requirements of the new law.

The legislation was sponsored by former Senator Tim Greenwood (R-Toledo) along with the County Auditors' Association. Representatives Lynn Olman (R-Maumee) and E.J. Thomas (R-Columbus) managed S.B. 158 while in the Ohio House of Representatives.

CHANGES TO LAW DUE TO S.B. 158

S.B. 158 enacted ORC section 319.04 and established continuing education requirements for county auditors. The new law does the following:

- Requires county auditors elected to a full term of office to attend and successfully complete at least 16 hours of continuing education courses during the first year of office.
- Requires such county auditors to complete at least another 8 hours of continuing education by the end of their term of office.
- Requires at least 2 hours of ethics and substance-abuse training must comprise the total 24 hours of mandated course work.
- Specifies that failure to successfully complete the mandated continuing education hours does not affect an individual's ability to hold office.
- Requires course work to be approved by the County Auditors Association of Ohio.
- Provides that individuals teaching a course receive the same credit as those individuals attending a course.
- Requires each board of county commissioners to approve, from money appropriated to the county auditor, a reasonable amount requested by the county auditor to cover the costs incurred while fulfilling continuing education requirements, including registration fees, lodging and meal expenses, and travel expenses.
- Requires the County Auditors Association of Ohio to do the following:
 - record and, upon request, verify the completion of required course work for each county auditor.
 - issue a statement to each county auditor of the number of hours of continuing education the county auditor has successfully completed.
 - send each year a list of the continuing education courses and the number of hours each county auditor has successfully completed to the auditor of state and the tax commissioner. Such list shall be made available to the public upon request.
 - issue a "notice of failure" to any county auditor required to complete continuing education courses who fails to successfully do so.

While the new law only applies to auditors when elected to a full term of office, the County Auditors Association of Ohio recommends incumbent county auditors complete the first 16 hours of training required within the first year of office before May 5, 1997 - the one year anniversary of S.B. 158's enactment. The Association also recommends that incumbent

auditors complete at least another 8 hours of continuing education by the end of county auditors' current term of office.

SUMMARY OF ELIGIBILITY/TRAINING REQUIREMENTS FOR COUNTY AUDITORS¹

An individual seeking the office of county auditor shall comply with the following:

- Must be a U.S. citizen.
- Will be 18 years of age or older at the next November election.
- Must have been a resident of Ohio for 30 days.
- Must be a resident of the county and precinct they will serve.
- Must be registered to vote 30 days before the election.
- Must successfully complete at least 16 hours of continuing education courses during the first year of office for county auditors elected to a full term of office. In addition, must successfully complete at least another 8 hours of continuing education by the end of the term of office. Requires at least 2 hours of ethics and substance-abuse training comprise the total 24 hours of mandated course work.
- Must secure bond of not less than \$5,000 or more than \$20,000 as fixed and approved by county commissioners. Bond must be made on or before taking office. Failure to comply can result in office being vacated.

FINANCIAL IMPACT OF S.B. 158

In regards to the continuing education requirements of S.B. 158, boards of county commissioners are required to approve, from money appropriated to the county auditor, reasonable expenses incurred by the county auditor. This expense could total approximately \$1,000 every four years. *(Source: Legislative Budget Office Fiscal Note)*

While commissioners are required to approve expenditures to meet the new requirements, such approval is subject to monies being appropriated to the auditor and that the amount is reasonable. In addition, the funds could be appropriated from either the general fund or the real estate assessment fund if the training is related to appraisal activities. CCAO encourages commissioners to approve reasonable requests from auditors so they can meet the training requirements, many of which will be conducted during regular meetings of the County Auditors Association.

¹Excluding offices which are incompatible with the office of county auditor.

SUMMARY

S.B. 158 establishes the first training requirements for county auditors, although failure to successfully complete such does not affect an individual's right to hold office. Failure to complete the requirements, however, exposes the county auditor to political jeopardy as opponents will undoubtedly raise this issue during a campaign.

ACKNOWLEDGMENT

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