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Cheryl Subler, Executive Director

March 25, 2020

TO: ALL COUNTY COMMISSIONERS, COUNTY EXECUTIVES, COUNTY COUNCIL MEMBERS,
COUNTY ADMINISTRATORS AND COUNTY CLERKS

FROM: CHERYL SUBLER, EXECUTIVE DIRECTOR
RACHEL MASSOUD, POLICY ANALYST
ADAM SCHWIEBERT, POLICY ANALYST

RE: MARCH 25, 2020 COVID-19 UPDATES

Gov. DeWine Press Conference

Today, Gov. DeWine held another press conference regarding the novel coronavirus (COVID-19). Ohio now has 704 confirmed cases in 55 counties. There have been 10 COVID-19 related deaths.

A video of the governor's March 25th press conference can be found [here](#). The administration plans to continue daily press briefings at 2 pm. Press conferences can be viewed on www.ohiochannel.org.

Legislature Passes COVID-19 Legislative Package

Today the General Assembly passed a legislative package that includes several temporary law changes in response to the COVID-19 pandemic. Gov. DeWine is expected to sign the bill into law. The language was amended into House Bill 197 and included an emergency clause, meaning the provisions are effective immediately upon signature from the governor. The full amendment language can be found [here](#). The bill analysis and other documents can be found [here](#).

CCAO would like to highlight some provisions that were included and impact county government. To view amendment language for each provision listed below, click on the title.

[Electronic Participation for Open Meetings \(G-0351-2\)](#)

Establishes a public body open meetings policy and a policy regarding hearings, which utilize the use of electronic communication in lieu of in person meetings and hearings, for use only during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date. Electronic communication includes teleconference, video conference, or any other similar electronic technology. The meeting must still be available to the public. CCAO plans to release additional resources detailing the expanded open meetings abilities.

[Extension of absentee voting for March 17, 2020, primary election \(G-0474-1\)](#)



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Extends absentee voting in the March 17, 2020, primary election through April 28, 2020. There will be no in-person voting day. An elector who has not already cast a ballot in the election, and who was registered to vote in Ohio as of the February 18, 2020, deadline, may cast an absentee voter's ballot in the election through 7:30 p.m. on April 28.

Requires the Secretary of State to mail a postcard to each elector in Ohio with information about their opportunity to vote by absentee ballot through April 28, however, a voter is still required to apply for an absentee voter's ballot by mail to the board of elections and the application has to be received by noon on April 25. Requires the board to prepay the return postage on ballots sent to a voter requesting an absentee ballot. The cost of this postage will be reimbursed to the board.

Requires all ballots to be received at the office of the board not later than 7:30 p.m. on April 28 in order to be counted, but includes a ten-day grace period for ballots to arrive by mail after that time, the same as under the statute. Also requires the board to place a secure receptacle outside the office of the board for an absentee voter to return their ballot. All votes cast in the March 17 election are to be counted after 7:30 p.m. on April 28.

Requires the board to daily compile a list of the applications received and to transmit the list to the Secretary, who must make it available to the public upon request.

Allows a person who applies for absentee voter's ballots under the bill by the applicable deadline, and whose application is denied, to cast a provisional ballot by mail and allows an absentee voter or provisional voter to cure an incomplete ballot statement or provide additional information, if required, not later than May 5.

Permits an elector instead to cast absentee voter's ballots in person at the office of the board on April 28 by 7:30 p.m. if (1) the elector has a disability and wishes to use an accessible voting machine, or (2) the elector is unable to receive mail.

Requires candidates and political entities to file their post-primary campaign finance statements using March 17 as the date of the primary, but extends the filing deadline to 4:00 p.m. on June 5, 2020. Specifies that for the purpose of contribution limits that apply during a primary election period, the primary election period ended on March 17.

Requires the Secretary of State and the boards of elections to conduct all post-election procedures by adding 42 days to the statutory deadlines (the number of days between March 17 and April 28).

Provides a \$7 million appropriation to the Secretary of State, which the Secretary must use to pay for expenses related to implementing the bill.

[Tax Filing Deadline and Municipal Income Tax Filing \(G-0371-2\)](#)

Expressly authorizes the Tax Commissioner to extend state tax filing and payment deadlines for the duration of the Governor's COVID-19 emergency declaration and to waive associated interest and penalties for taxpayers affected by the emergency. Also applies to school district income taxes, municipal income taxes administered by the state, and certain fees administered by the Department of Taxation.

Specifies that, for municipal income tax purposes, employees who must report to a temporary worksite (including their home) during the emergency period, or within 30 days thereafter, are considered to be working at their otherwise principal place of work (which, by law, is where the employee reports for work on "a regular and ordinary basis"). This affects which municipal corporation the employer must withhold income taxes for, which municipal corporation may tax the employee's pay, and whether and how much of the employer's own income is subject to a municipality's income tax. (Under current law, an employee may work in a municipality for up to 20 days per year without the employee becoming subject to that municipality's income tax and the

employer becoming subject to that municipality's tax withholding requirements. And, if an employee does not exceed the 20-day threshold, that employee's pay is not counted toward the business's payroll factor, one of three factors--along with property and sales--that determines whether, and the extent to which, an employer's own income is subject to the municipality's tax on net profits. See R.C. 718.011, 718.02, and 718.82.)

[Certain County Offices Remaining Open \(G-0421-1\)](#)

Suspends, until August 30, 2020, a provision of law regarding liability of a county recorder for failure to perform certain duties of the office, including the duty to record a document not later than the morning of the day after the document was filed for recording.

During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, does the following:

- Requires the office of a county recorder, the office of a county auditor, the title office of a clerk of court of common pleas, and a county map office to remain open and operational in order to allow land professionals physical access to the office as necessary to search records that are not otherwise available online, digital, or by some other means, so long as all necessary public land records are available. Specifies that all essential services to effectuate a property transfer must remain open and available with all offices.
- Requires the title office of a clerk of court of common pleas shall remain open and operational in order to allow land professionals, automobile, watercraft, outboard motor, all terrain vehicles, and mobile home dealers access to the office as necessary to process titles that are not otherwise available online.
- Specifies that the office may provide such access during limited hours and for a limited duration, and may subject searchers to requirements and restrictions in the interest of public health.
- Specifies that the office may allow persons other than land professionals physical access to the office at the discretion of the office during such limited hours, for such limited duration, and subject to such requirements and restrictions in the interest of public health as the office determines.

These provisions apply notwithstanding an order or directive from the court of common pleas or the board of county commissioners.

There were several other legislative changes passed included, including:

[Drinking Water Access \(G-0334-3\)](#)

[Licensure Deadline Extension \(G-0338-5\)](#)

[Unemployment Compensation \(G-0365-1\)](#)

[Waiving certain procedure requirements for the Auditor of State \(G-0392-2\)](#)

[Tolling of statutes of limitations and time limitations and deadlines \(G-0393-3\)](#)

[Delays Step up to Quality Requirement to September 1, 2020 \(G-0441\)](#)

[Ohio Public Works Commission, Ohio Water Development Authority, and Ohio Environmental Protection Agency waive penalties and fees \(G-0442-2\)](#)

Each amendment linked above includes summary language written by the Legislative Service Commission that explains the contents of the amendment. The summary language is located at the end of each document. If you have questions regarding this legislation, please contact Adam Schwiebert, CCAO policy analyst, at aschwiebert@ccao.org.

Tomorrow's CCAO/CORSA/CEBCO Bi-weekly COVID-19 Briefing Call featuring Governor and Lt. Governor

CCAO, CORSA and CEBCO will host a biweekly COVID-19 briefing call for members every Monday and Thursday at 3:30 p.m. The next call will be tomorrow, Thursday, March 26th. We hope to have both Gov. DeWine and Lt. Gov. Husted as guests on Thursday's call if the circumstances allow. The call-in information is as follows:

**Dial 1-877-273-4202
Access code 889-229-624**

Our goal with these briefing calls is to provide our members with an informative and positive experience. In order to better achieve this goal and due to the volume of callers, we have decided to change the format. We ask that participants pose questions during the call by **texting** Rachel Massoud (CCAO policy analyst) at **513-543-3723**. Rachel will read the questions to our speaker(s) and state the name and title of the person who posed the question. Participants will remain muted throughout the duration of the call. We hope this new format will reduce duplication, keep our calls focused and concise, and provide the best experience possible for our participants. CCAO will send an agenda for the call tomorrow morning.

Register for Friday's HR Webinar: Employment Law FAQs and Update on the Families First Coronavirus Response Act

CCAO will host another webinar this Friday, March 27th at 1:00 p.m. As the issues relating to the coronavirus change, there are more employment-related questions. This webinar will provide an update on these issues along with the latest information concerning the application of the Families First Coronavirus Response Act.

Presenter: Marc A. Fishel, Fishel Downey Albrecht & Riepenhoff LLP

Click [here](#) to register for this timely educational opportunity. If you are unable to register to the link above, please email Nedra Benson, nbenson@ccao.org, CCAO administrative professional, and provide her with your email address.

Ohio Department of Job and Family Services (ODJFS) Resources

ODJFS released an updated Frequently Asked Questions document relating to COVID-19. Read the document [here](#). The FAQs contain information regarding SNAP/TANF, workforce, child care, child and adult protective services, and child support. Additional resources for local county agencies can be found [here](#).

Congress prepares to vote on a third coronavirus response package

The US Senate will vote later today on an economic stimulus package authorizing approximately \$1.8 trillion in total spending. The bill will then be sent to the House for a vote either Thursday or Friday. It was not clear that House leadership had fully agreed to all of the components of the Senate bill. The text of the bill had not been released as this writing, but according to news reports the major components of the bill are:

- \$150 billion in financial support for states and local governments. The details have not been released.
- Financial support to individual taxpayers: \$250 billion will be used to provide individuals with a check for \$1200 and married couples with \$2400. Parents and guardians will receive an additional \$500 per child. The payments will phase out at an income level of \$75,000 for individuals and \$150,000 for married couples.
- Financial support for distressed industries: \$450 billion in loans and loan guarantees for businesses affected by the downturn, along with special dedicated funding for passenger airlines (\$25 billion), cargo airlines (\$4 billion), and companies deemed critical for national security (\$17 billion). The US Treasury and Federal Reserve system will manage the program with oversight supervision from a special inspector general.
- Enhanced unemployment compensation: \$250 billion to increase unemployment benefits by \$600 per week above the state's normal payment schedule. Enhanced payments will continue for four months.
- Emergency payments for the health care sector: \$150 billion for grants to hospitals and other front-line health care providers to pay for medical and personal protective equipment, testing supplies, training and workforce needs, and new construction needed to house coronavirus patients.
- Aid to small business: \$367 billion for loans and grants to small businesses affected by the coronavirus. Businesses will be able to secure loans up to 250 percent of monthly payroll.

The National Association of Counties (NACo) will provide a more detailed summary later today or tomorrow. CCAO will send this document when it becomes available.

As a reminder, the NACo COVID-19 webpage <https://www.naco.org/resources/featured/coronavirus-disease-2019> includes nationwide information about county response as well as information about federal relief packages relating to COVID-19.

Other Resources

Visit <https://ccao.org/resources/coronavirus-updates/> for updates, FAQs and previous memos. As a reminder, current information from the Ohio Department of Health can be found at www.coronavirus.ohio.gov. If you have questions regarding this memo or best practice suggestions relating to COVID-19, please contact Adam Schwiebert, policy analyst, at aschwiebert@ccao.org, or Rachel Massoud, policy analyst, at rmassoud@ccao.org.