



---

# 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](http://www.ccao.org)

---

**February 5, 2016**

## **Work continues to develop Cap Bill**

Work has been underway to craft the state Fiscal Year 2017-2018 capital bill which is expected to be deliberated by the legislature after the March primary election and spring break.

As you know (as reported in earlier [CCAO Statehouse Report](#)), community requests were to be submitted to lawmakers and the Administration by January 15. Lawmakers are taking a month to review them, and by February 15<sup>th</sup> are to submit to legislative leadership funding requests in rank order for consideration along with background information about the projects. This will set the stage for some intense behind-the-scenes horse-trading among lawmakers and Administration officials ahead of this spring's introduction of the usual two-year bricks-and-mortar legislation.

If history is any guide, debate over the local "community project" requests will consume most of the deliberations on the bill even though the money allotted to such initiatives - usually on a matching fund basis tied with local input - accounts for only a fraction of the total bond-backed outlay in the package.

For instance, the last two-year capital bill ([HB497](#), 130th General Assembly) included about \$2.4 billion in new state project spending, of which only \$168 million was earmarked for the local projects.

Speaker Rosenberger said the total amount of funding for community projects "might be a little less than last time," but the number isn't finalized.

The local project target for this year's version, which is expected to be unveiled in early April, is about \$150 million, according to other officials familiar with the planning discussions, and per usual, the total amount of requests will exponentially exceed that guidance limit.

This year's version is likely to start in the Senate, although given how the process has worked in recent years, the chamber of origin is somewhat perfunctory. The upper chamber, for instance, did not amend the House-passed version of the last capital bill, sending it straight to Gov. Kasich for his signature with strong bipartisan support and without the need for a concurrence vote.

## CCAO = 88 Counties & 1 Voice

The advocacy lifeblood of the County Commissioners Association of Ohio (CCAO) is its members. Period. 88 Counties coming together with 1 voice is very impactful.

As you speak with your lawmakers and Administration officials, please raise the following to help counties:

**Funding to replace voting equipment** – Counties are seeking state funding to help replace voting equipment. Since the Help America Vote Act (HAVA), conducting elections is not what it used to be. Both federal and state laws as well as state directives have changed how counties administer elections for all levels of government. Most voting equipment is reaching the end of its useful life and will need to be replaced prior to the 2020 presidential election. When the current voting machines were purchased, the predicted lifespan was 10-15 years. Obviously, we are nearing the end of that period. CCAO and the Ohio Association of Elections Officials (OAE) have been working with the Secretary of State to develop a state-county partnership proposal similar to the program in the state budget (HB 64) to purchase electronic poll books. CCAO is asking the Legislature and Administration to make this a funding priority this year, that will carry over into the next few years, prior to the 2020 election season.



**Preserve county/state sales tax base** – CCAO opposes HB 343 that would exempt employment services from sales & use tax, causing a revenue loss of \$33 M to counties and transit authorities; LGF and PLF revenue loss would be \$4.6 M. The sales & use tax is the #1 revenue source for most county general funds. Additional legislation is pending that would exempt various other items from sales tax.

As always, if you have questions about any of these items or others, please contact a member of the CCAO Policy Team at (614) 221-5627. Thank you for your involvement and leadership.

## Will there be a traditional MBR this year?

Evaluating possible revisions to the state two-year budget bill will also take center stage, along with the capital bill, after the March primary election and spring break.

Ohio House Finance Chair, Rep. Ryan Smith, reaffirmed that the legislature won't be

considering “an MBR (Mid-Biennial Review Legislation) anything like we’ve seen in the past,” but confirmed the committee will still be discussing funding changes.



Rep. Smith

"I think there is discussion about multiple bills, not an MBR per se, but there are some initiatives that I think the Administration would like to work with our members on, but we'll have those ongoing discussions," he said.

"Before we introduced the big bill with multiple policy initiatives and that's just not going to be the direction we take this year," he added.

The chairman attributed the new approach to it being a busy election year, particularly as the governor looks to make a move to the White House.

## New bill would update child support guidelines

Senator Shannon Jones has introduced a bill (SB 262) that will attempt to update Ohio's guidelines for determining monthly child support payments, something that hasn't happened since 1992. Senate Bill 262 was inspired by the Ohio Child Support Guidelines Advisory Council report that was released to the General Assembly in 2013. It could affect more than one million Ohio children.

**SB 262**  
**Child Support Laws - Revision**

**Sponsor:** Senator Jones  
**Status:** Civil Justice Committee  
**CCAO Position:** Monitoring  
**Key Provisions:**

- Updates Schedule of obligations and worksheet to establish child support amounts

The bill addresses two primary components of the guidelines: A schedule of obligations that establish child support amounts; and a worksheet to be used to gather income data and perform the calculation.

The bill also includes new policies that allow worksheet calculations to take into account health insurance obligations, day care costs and parenting time orders.

“With this legislation, we hope to ensure that parents receive the adequate support they need to raise their children and maintain healthy lifestyles, while also taking into account the unique circumstances of individuals,” said Jones.



Senator Jones

The bill has been assigned to the Senate Civil Justice Committee. If you would like to know more about SB 262, please contact CCAO Policy Analyst Kate Neithammer at 614-220-7996 or [kneithammer@ccao.org](mailto:kneithammer@ccao.org).

## Bills Introduced



- SB 268** ■ **EMPLOYMENT LAW** ([Seitz, B.](#)) To modify Ohio civil rights laws related to employment and the statute of limitations for other specified claims against an employer. Am. 2305.07, 2305.09, 4112.01, 4112.02, 4112.04, 4112.05, 4112.051, 4112.08, and 4112.99; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4112.051 (4112.055) and 4112.052 (4112.056); to enact new sections 4112.051, 4112.052, and 4112.14 and sections 2305.071, 4112.053, and 4112.054; and to repeal section 4112.14
- SB 269** ■ **WATER SYSTEMS** ([Schiavoni, J.](#)) To require a public water system to provide notice of lead contamination not later than thirty days after becoming aware that lead contamination may effect the system's drinking water, to require the Director of Environmental Protection to provide the notice if the public water system fails to provide it, to require employees of the Environmental Protection Agency to provide continuing assistance to a public water system that fails to provide the required notice of lead contamination, and to require the Director to adopt rules that increase the monitoring frequency for lead and copper under specified circumstances. Am. 6109.10 and 6109.12
- SB 271** ■ **POLICE ANIMALS** ([Gentile, L.](#)) To authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency. Am. 9.62 and 721.15
- SB 272** ■ **PAROLE ELIGIBILITY** ([Thomas, C.](#), [Eklund, J.](#)) To provide special parole eligibility dates for persons with an indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age, to require the Parole Board to consider specified mitigating factors in those cases, and to require notice to the Ohio Public Defender and prosecuting attorney prior to the parole consideration hearing. Am. 2929.02, 2929.14, 2967.13, 2971.03, and 5149.101 and to enact section 2967.132
- HJR 6** ■ **TERRORIST NATIONS** ([Johnson, T.](#)) Proposing to enact Section 18 of Article VIII of the Constitution of the State of Ohio to prohibit state agencies and the state's public retirement systems from contracting with and investing in companies with certain business operations in countries designated as state sponsors of terrorism and to require state agencies and public retirement systems to divest investments from such companies.
- HB 443** ■ **STEP THERAPY** ([Johnson, T.](#), [Antonio, N.](#)) To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid. Am. 3901.82, 3901.821, 3901.822, 5164.7511, 5164.7512, and 5164.7513
- HB 446** ■ **OVI OFFENSES** ([Manning, N.](#)) To specify that the prison term that may be imposed for a third degree felony operating a vehicle while intoxicated ("OVI") offense is a definite period of twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months, to add "harmful intoxicant" to the definition of "drug of abuse" for the purposes of commercial driver's licensing law, to allow a person to assert the existing affirmative defense of driving in an emergency with regard to a prosecution for driving under a suspended driver's license under specified laws, and

to specify that certain enhanced penalties for speeding violations apply regardless of whether the offender previously has been convicted of or pleaded guilty to speeding. Am. 2929.14, 4506.01, 4510.04, and 4511.21

## Hearing Schedule



### Tuesday, February 9

- 
- House Insurance** ([Committee Record](#)), (Chr. [Hackett, B.](#), 466-1470), Rm. 121, 10:00 am
- SB 129** ■ **PRIOR AUTHORIZATIONS** ([Gardner, R.](#), [Cafaro, C.](#)) To amend the law related to the prior authorization requirements of insurers. --**1st Hearing-Sponsor**
- HB 205** ■ **SELF-INSURING EMPLOYERS** ([Henne, M.](#), [Retherford, W.](#)) To modify the requirements for an employer to become a self-insuring employer for purposes of the Workers' Compensation Law, to transfer authority over the workers' compensation self-insurance program to the Superintendent of Insurance, and to allow certain employers and groups of employers to obtain workers' compensation coverage from a private workers' compensation insurer. --**3rd Hearing-Proponent**
- House Finance & Appropriations** ([Committee Record](#)), (Chr. [Smith, R.](#), 466-1366), Rm. 313, 11:00 am
- SB 260** ■ **CAPITAL REAPPROPRIATIONS** ([Coley, B.](#)) To make capital appropriations for the biennium ending June 30, 2018. --**2nd Hearing-All testimony-Possible amendments & vote**
- House Financial Institutions, Housing & Urban Development** ([Committee Record](#)), (Chr. [Terhar, L.](#), 466-8258), Rm. 116, 1:00 pm
- HB 435** ■ **STATE FINANCING** ([McClain, J.](#)) To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities. --**1st Hearing-Sponsor**
- HB 415** ■ **LINKED DEPOSITS** ([Schuring, K.](#)) To create the business linked deposit program, to permit credit unions to participate in that program, to permit credit unions to participate in the agricultural linked deposit program, and to make other changes to the linked deposit law. --**2nd Hearing-Proponent**
- HB 273** ■ **UNOCCUPIED HOMES** ([Pelanda, D.](#)) Regarding the removal of abandoned or unoccupied manufactured homes, mobile homes, or recreational vehicles from manufactured home parks. --**2nd Hearing-Proponent**
- House Government Accountability & Oversight** ([Committee Record](#)), (Chr. [Brown, T.](#), 466-8104), Rm. 114, 1:30 pm
- HB 350** ■ **AUTISM TREATMENT** ([Grossman, C.](#), [Terhar, L.](#)) To mandate coverage of autism treatment. --**4th Hearing-All testimony**
- HB 369** ■ **BALANCED BUDGET** ([Koehler, K.](#), [Hambley, S.](#)) To adopt the Compact for a Balanced Budget and to declare an emergency. --**2nd Hearing-Proponent**
- House Ways & Means** ([Committee Record](#)), (Chr. [McClain, J.](#), 644-6265), Rm. 121, 1:30 pm
- HB 12** ■ **TIF CREATION** ([Butler, J.](#), [Burkley, T.](#)) To establish a procedure by which political subdivisions proposing a tax increment financing (TIF) incentive district are required to provide notice to the record owner of each parcel within the proposed incentive district before creating the district, and to permit such owners, under specific conditions, to exclude their parcels from the incentive district by submitting a written response. --**2nd Hearing-Proponent**
- HB 409** ■ **TAX EXEMPTION** ([Green, D.](#)) To exempt from property taxation any retail store operated by a nonprofit housing organization that sells donated items suitable for residential housing purposes. --**1st Hearing-Sponsor**
- SB 172** ■ **BULLION TAXES** ([Jordan, K.](#)) To exempt from sales and use taxes the sale or use of investment metal bullion and coins. --**1st Hearing-Sponsor**
- Senate Finance** ([Committee Record](#)), (Chr. [Oelslager, S.](#), 466-0626), Finance Hearing Rm., 1:30 pm
- SJR 3** ■ **INFRASTRUCTURE BONDS** ([Schiavoni, J.](#)) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements. --**1st Hearing-Sponsor**

[SB 240](#) ■ **FOSTER CARE PAYMENTS** ([Eklund, J.](#)) To extend the age for which a person is eligible for federal foster care and adoption assistance payments under Title IV-E to age twenty-one; and to make an appropriation. --**1st Hearing-Sponsor**

## Wednesday, February 10

[Senate Government Oversight & Reform](#) ([Committee Record](#)), (Chr. [Coley, B.](#), 466-8072), South Hearing Rm., 8:45 am

[SB 227](#) ■ **ATTORNEY GENERAL** ([Bacon, K.](#)) To make various changes to the laws governing the duties and functions of the Attorney General. --**2nd Hearing-Proponent**

[SB 236](#) ■ **CIVIL ASSET FORFEITURE** ([Jordan, K.](#)) To eliminate civil asset forfeiture proceedings and to modify the law governing criminal asset forfeitures. --**2nd Hearing-Proponent**

[Senate Health & Human Services](#) ([Committee Record](#)), (Chr. [Jones, S.](#), 466-9737), North Hearing Rm., 9:00 am Confirmation hearing on governor's appointments of Lisa Froehlich, Board of Speech-Language Pathology and Audiology and Alice Randolph, State Board of Psychology

[HB 230](#) ■ **CHEMICAL DEPENDENCY** ([Sprague, R.](#)) Regarding the practices of chemical dependency counseling and prevention services. --**1st Hearing-Sponsor**

[Senate Criminal Justice](#) ([Committee Record](#)), (Chr. [Eklund, J.](#), 644-7718), North Hearing Rm., 11:15 am Presentation from Michael Farley, Supreme Court of Ohio, on proposed amendments to the rules of practice and procedure

[SB 44](#) ■ **CHILD SEATS** ([Schiavoni, J.](#)) To allow the enforcement of child car seat, booster seat, and seat belt requirements as a primary offense and to repeal a provision of law that declares that the failure of an operator of a motor vehicle to secure a child in a car seat, in a booster seat, or with a seat belt is inadmissible in certain criminal proceedings. --**6th Hearing-All testimony-Possible vote**

[HB 171](#) ■ **HEROIN TRAFFICKING** ([Blessing, L.](#), [Dever, J.](#)) To decrease the minimum amount of heroin involved in a violation of trafficking in heroin or possession of heroin that makes the violation a felony of the first degree and that is necessary to classify an offender as a major drug offender. --**3rd Hearing-All testimony**

[Senate Session](#), (Chr. [Faber, K.](#), 466-4900), Senate Chamber, 1:30 pm [House Session](#), (Chr. [Rosenberger, C.](#), 466-3357), House Chamber, 1:30 pm [House State Government](#) ([Committee Record](#)), (Chr. [Maag, R.](#), 644-6023), Rm. 121, 2:30 pm or after session

[SB 152](#) ■ **CONTRACTOR LABOR** ([Uecker, J.](#)) To prohibit a public authority from requiring a contractor to employ a certain percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement. --**4th Hearing-All testimony-Possible vote**

[HB 423](#) ■ **MILITARY RECORDS** ([Perales, R.](#)) To specify that an order for active military service or other documentation regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record. --**2nd Hearing-Proponent**

## Thursday, February 11

[House Medicinal Marijuana Task Force](#), (Chr. [Schuring, K.](#), 752-2438), Rm. 313, 3:00 pm