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# STATEHOUSE REPORT

*Published by: County Commissioners Association of Ohio*

209 East State Street • Columbus, Ohio 43215-4309  
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October 16, 2015

## How will Ohio replace aging voting equipment?



Jon Husted

Representatives from CCAO and the Ohio Association of Elections Officials (OAE) met with Secretary of State Jon Husted this week to discuss how Ohio will replace its aging voting equipment. While parties are working on an estimated statewide cost, everyone recognizes that the price tag will be big. Following the adoption of the federal Help America Vote Act (HAVA), it is thought that Ohio spent around \$115 million on equipment nearly a decade ago. Today's replacement price likely is higher.

Secretary of State Husted has been championing the need for Ohio to recognize that its voting equipment will be reaching an end to its useful life and must be replaced, and has said that there needs to be a state/county partnership in updating equipment. He also recognized that the overall state price tag is a lot of money, and some individuals may want to discuss the best way for Ohio to conduct elections before investing \$150-175 million.

CCAO and OAE are recommending a state/county partnership similar to the arrangement enacted earlier this year for obtaining electronic poll books. The state appropriated \$12.75 million to be used to reimburse 85 percent of the cost to purchase electronic poll books on behalf of county boards of elections. The state Department of Administrative Services, with advice from the Secretary of State's Office, issued bids for the equipment, and counties can purchase such off the state term bid specifications. In addition, counties that obtained poll books earlier could be partially reimbursed by the state.

CCAO, OAE, and the Secretary of State will be reaching out the Administration and legislative leadership on this matter. County officials are encouraged to continue talking with their lawmakers are the importance of including funding for equipment in the state capital bill. If you have questions, please contact CCAO Staffers Cheryl Subler or John Leutz at (614) 221-5627 or at [csubler@ccao.org](mailto:csubler@ccao.org) and [jleutz@ccao.org](mailto:jleutz@ccao.org).

## Roth option for public employees' deferred comp

CCAO has been working with the state deferred compensation program on legislation that would enable public employees' deferred compensation programs to offer a Roth feature. In general, the difference between a Roth plan and a traditional deferred comp plan (i.e., 457 or 401k) is that income contributed to the Roth version is taxable in the year it is earned, while income contributed to the traditional version is taxable in the year it is distributed from the account. Furthermore, earnings on the traditional version are taxable income in the year they are distributed, while earnings on the Roth version are not taxable ever.



Jay Hottinger

Currently, a board of county commissioners can offer the state deferred compensation program along with two additional programs for deferral of compensation. Senate Bill 220, sponsored by Senator Hottinger, would enable those programs, which currently offer a tax deferred plan, to also offer a post-tax (Roth) option.

Senate Bill 220 was introduced October 5 by Senator Hottinger and is pending in the Senate State and Local Government Committee. Sponsor testimony is scheduled for this coming week. If you would like additional information, please contact CCAO Managing Director of Policy Cheryl Subler at [csubler@ccao.org](mailto:csubler@ccao.org) or at (614) 220-7980.

## Electronic poll books could lead to more efficiency

Senator Joe Uecker (R-Miami Township) told the Senate Government Reform & Oversight Committee this week that his [Senate Bill 212](#) would provide cost savings to county boards of elections, since it would enable boards to reduce the minimum number of poll workers when electronic poll books are used at a voting location that serves more than one precinct.



Joe Uecker

Electronic poll books eliminate reliance on traditional paper poll books, creating a better and more efficient experience for voters and poll workers," Sen. Uecker said.

Current law allows boards of elections, by a vote of at least three members, to have a single voting location serve more than one precinct. SB 212 would provide that in such a circumstance a board may appoint not less than two precinct election officials for each precinct, though the bill would not change the bipartisan composition of poll workers in a precinct.

In addition, the bill would eliminate the requirement that a board of elections send a notice to a person's residence address when the board cancels the person's voter registration because it received a report of the person's death.

If you have questions about the bill, contact CCAO Staffers Cheryl Subler or John Leutz at (614) 221-5627 or at [csubler@ccao.org](mailto:csubler@ccao.org) and [jleutz@ccao.org](mailto:jleutz@ccao.org).

## CCAO Testifies as interested party on coroner reform bill

[HB 240](#), Representatives Steven Huffman (-Tipp City) and Terry Johnson (R-McDermott), proposes several changes to the county coroner law. John Leutz, CCAO's Legislative Counsel, [testified](#) before the House State Government Committee this week as an interested party on bill which is the result of extensive dialog over an extended period of time between CCAO and the Ohio State Coroners Association.



Stephen A.  
Huffman

CCAO is particularly interested in the provision that would allow a board of county commissioners to contract with another county's coroner to perform the functions and duties of a coroner when the coroner dies, resigns, or no one runs for the office. We are hearing from several counties that they may not field any candidate for the office of coroner in next year's count elections. This would provide an option, when none exists at this time, for those counties where no one runs for the office of coroner to insure that the statutory duties of the office will be performed.

Another key provision would require the Department of Rehabilitation and Correction or the Department of Youth Services to pay the costs of an autopsy whenever the death of an inmate happens at a state correctional facility. While generally the state has paid for these autopsies, there has not been a uniform policy on this matter and recently both Richland and Pickaway counties have been informed that they will not be reimbursed for autopsies they performed.



Terry Johnson

## Bills Introduced




- [SB 227](#) ■ **ATTORNEY GENERAL** ([Bacon, K.](#)) To make various changes to the laws governing the duties and functions of the Attorney General. Am. 9.02, 109.08, 109.081, 109.43, 109.521, 109.57, 109.572, 109.578, 109.60, 109.85, 109.86, 149.43, 1331.01, 1331.04, 1331.99, 1345.02, 1345.03, 1345.031, 1345.07, 1345.21, 1345.23, 1345.24, 1345.43, 1345.44, 1349.43, 1716.02, 1716.05, 1716.07, 2743.191, 2743.56, 2743.71, 2746.02, 2901.01, 2923.02, 2923.31, 2923.32, 2953.32, 2981.13, and 5302.221, to enact sections 9.28, 177.05, 1331.17, and 2945.63, and to repeal section 1331.05
- [HB 363](#) ■ **JUVENILE HEARINGS** ([Reece, A.](#)) To require restraints to be removed from an alleged or adjudicated delinquent child prior to the commencement of a juvenile court hearing or proceeding unless the court determines that the use of restraints is necessary to prevent physical harm to the child or another person or to prevent the child from escaping. Am. 2151.351


# Hearing Schedule



## Tuesday, October 20


**Senate Agriculture (Committee Record)**, (Chr. **Hite, C.**, 466-8150), South Hearing Rm., 9:00 am  (Updated: 4:04 p.m., October 15, 2015)


Confirmation hearing on governor's appointments of Cathy Lyttle, Dangerous & Restricted Animals Advisory Board and Dianne Jones and Richard Heston, Veterinary Medical Licensing Board

**HB 37**  **ALCOHOL POSSESSION** (**Duffey, M.**, **Stinziano, M.**) To allow a person to possess beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder that is located in the market. --2nd Hearing-All testimony


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**Senate State & Local Government (Committee Record)**, (Chr. **LaRose, F.**, 466-4823), North Hearing Rm., 9:45 am  
**SB 220**  **DEFERRED COMPENSATION** (**Hottinger, J.**) To authorize the Ohio Public Employees Deferred Compensation Board and local governments to establish designated Roth account features and other tax-deferred or nontax-deferred features permitted for government deferred compensation plans. --1st Hearing-Sponsor


**HB 56**  **CRIMINAL RECORDS** (**Schuring, K.**, **Slesnick, S.**) To limit the use of criminal records in the hiring and employment practices of public employers. --1st Hearing-Sponsor

**Senate Insurance (Committee Record)**, (Chr. **Hottinger, J.**, 466-5838), South Hearing Rm., 10:30 am  
**SB 135**  **PRESCRIPTION DRUGS** (**Cafaro, C.**, **Jones, S.**) To limit the out-of-pocket cost to an individual covered by a health plan for drugs used to treat rare diseases. --2nd Hearing-Proponent

**House Government Accountability & Oversight (Committee Record)**, (Chr. **Brown, T.**, 466-8104), Rm. 114, 1:30 pm


**HB 342**  **WINERY PERMITS** (**Young, R.**) To create the Ohio Farm Winery Permit. --1st Hearing-Sponsor


**HB 233**  **REDEVELOPMENT DISTRICTS** (**Schuring, K.**) To authorize municipal corporations to create downtown redevelopment districts and innovation districts for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixed-use areas, and supporting grants and loans to technology-oriented and other businesses. --4th Hearing-All testimony-Possible substitute & vote

**HB 359**  **ADDRESS CONFIDENTIALITY** (**Duffey, M.**, **Gonzales, A.**) To create the address confidentiality program for victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, sexual battery and other crimes. --1st Hearing-Sponsor

## Wednesday, October 21

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

**HB 180**  **CONTRACTOR LABOR** (**Maag, R.**) 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. --1st Hearing-Sponsor

**SB 217**  **MILITARY SERVICE** (**Eklund, J.**) To permit exemptions for local officials from continuing education requirements of the office for an illness or disability or for out-of-state military service. --1st Hearing-Sponsor

**Joint Legislative Task Force on Department of Transportation Issues**, (Chr. **Grossman, C.**, 466-9690; Chr. **Manning, G.**, 466-9690), Senate Finance Hearing Rm., 9:00 am

- All testimony on studying the cost and feasibility of establishing a limited driving privilege license that contains embedded information, accessible only to law enforcement officers, that specifies the period during which the license holder may exercise limited driving privileges and the purposes for which limited driving privileges have been granted.
- studying methods for increasing the speed on and access to rural highways and freeways in Ohio
- studying methods for saving money on license plates, including specifically a single license plate requirement

**Senate Ways & Means** ([Committee Record](#)), (Chr. [Peterson, B.](#), 466-8156), South Hearing Rm., 9:30 am  
**SB 209** ■ **RURAL JOBS** ([Hite, C.](#)) To enact the "Ohio Rural Jobs Act" which authorizes a nonrefundable tax credit for insurance companies that invest in rural business growth funds, which are certified to provide capital to rural and agricultural businesses. --**3rd Hearing-All testimony-Possible vote**

**House Ways & Means** ([Committee Record](#)), (Chr. [McClain, J.](#), 644-6265), Rm. 121, 10:00 am  
**HB 308** ■ **TAX EXEMPTION** ([Duffey, M.](#), [Stinziano, M.](#)) To exempt from sales and use tax textbooks purchased by post-secondary students. --**1st Hearing-Sponsor**

**HB 334** ■ **TAX EXEMPTION** ([Buchy, J.](#)) To exempt memberships to gyms or other recreational facilities operated by nonprofit organizations from sales and use taxation. --**1st Hearing-Sponsor**

**Senate Criminal Justice** ([Committee Record](#)), (Chr. [Eklund, J.](#), 644-7718), North Hearing Rm., 11:15 am  
**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. --**1st Hearing-Sponsor**

**SB 184** ■ **SEX OFFENDERS** ([Balderson, T.](#)) To clarify the sex offender registration requirements. --**3rd Hearing-All testimony-Possible amendments & vote**

**Senate Session**, (Chr. [Faber, K.](#), 466-4900), Senate Chamber, 1:30 pm

**Senate Civil Justice** ([Committee Record](#)), (Chr. [Bacon, K.](#), 466-8064), Finance Hearing Rm., 2:30 pm or after session  
**SB 75** ■ **AGRITOURISM** ([Jones, S.](#), [Peterson, B.](#)) To limit the authority of a board of county commissioners or board of township trustees to prohibit agritourism through zoning, to apply current agricultural use valuation to land used for agritourism for property tax purposes, and to establish immunity in a civil action for agritourism providers. --**4th Hearing-All testimony-Possible amendments & vote**

**HB 80** ■ **AGRITOURISM** ([Burkley, T.](#)) To limit the authority of a board of county commissioners or board of township trustees to prohibit agritourism through zoning, to apply current agricultural use valuation to land used for agritourism for property tax purposes, and to establish immunity in a civil action for agritourism providers. --**1st Hearing-Sponsor**

**SB 201** ■ **NUISANCE LAW** ([Hughes, J.](#)) To expand nuisance law to apply to any real property, including vacant land, on which an offense of violence has occurred or is occurring. --**4th Hearing-All testimony-Possible amendments**