

# Ohio Township Association Legislative Alert



February 9, 2018

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## Legislative Activity This Week

### Tuesday, February 6

#### House Finance

**HB 378 BROADBAND GRANTS** (Smith, Cera) To create the Ohio Broadband Development Grant Program and to make an appropriation.

The Finance Committee heard [proponent testimony](#) from the Ashtabula County Commissioners, the Ashtabula County Airport Authority and the Grand River Rubber & Plastics Company.

#### House State & Local Government

**HB 415 ROAD IMPROVEMENTS** (Greenspan, Ryan) To allocate one-half of any surplus revenue to a new Local Government Road Improvement Fund, from which money will be distributed directly to local governments to fund road improvements.

There was no testimony presented and the committee favorably reported the measure to the full House for a vote.

**HB 454 CEMETERY LOTS** (Patterson, Arndt) To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner.

Scott Tripp, a Florida resident, provided [written proponent testimony](#).

**HB 470 LIGHTING FUNDS** (Edwards) To authorize a property tax levy specifically to fund lighting for roads and public places.

Rep. Edwards provided [sponsor testimony](#) to the committee explaining why he is seeking the legislative change.

#### Senate Finance

**HB 168 CEMETERY REGISTRATION** (Stein) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, and to make an appropriation.

No testimony was presented.

**HB 251 SUBDIVISION INVESTMENTS** (Greenspan) To increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund.

The Ohio Municipal League submitted [written testimony in support](#) of the legislation.

#### House Aging & Long Term Care

**HB 413 OPERS BENEFITS** (Scherer) Regarding Public Employees Retirement System (PERS) annual cost-of-living adjustments granted to allowance and benefit recipients and PERS service credit for services as a nonteaching school employee of a county board of developmental disabilities.

Committee members heard from OPERS Executive Director Karen Carraher for a third time. Members also heard opposition testimony from Public Employees Retirees Inc., Fraternal Order of Police of Ohio, and numerous retirees. To view the testimony, please [click here](#) and navigate to the February 6 hearing date.

#### Ohio Senate

**HB 79 FIREARMS TRAINING** (Retherford, Hagan) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been specifically authorized by the law enforcement agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

*The Ohio Senate unanimously passed a substitute bill. The Senate changes must be concurred on by the full House before being sent to the Governor for his signature.*

Rep. Schaffer - township omnibus bill

#### Wednesday, February 7

##### House Government Accountability & Oversight

**HB 478 WIRELESS SERVICES** (Smith, LaTourette) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way.

*The Columbus Chamber of Commerce **testified in support** of the bill and Cleveland Mayor Frank Jackson provided **written testimony** with concerns he has with the legislation.*

**HB 410 TRAFFIC VIOLATIONS** (Seitz, Butler) To grant municipal and county courts original and exclusive jurisdiction over any civil action concerning a traffic law violation, to specify that the court require an advance deposit for the filing of specified civil actions by the local authority bringing the civil action, and to modify the reporting requirements and LGF withholding that apply to subdivisions that operate traffic law photo-monitoring devices.

*The Committee voted 7-1 to favorably report the bill to the full House for passage.*

#### Thursday, February 8

[DriveOhio](#) - Ohio Smart Mobility Summit

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## Congressional Redistricting Proposal Headed to Statewide Ballot in May

This week, the Ohio Senate and House passed SJR 5, a proposal to revamp the congressional redistricting process. The reform proposal was prompted by a citizen initiative aimed at curbing gerrymandering to ensure districts do not favor one political party over another.

Because the measure is a resolution, the Governor's signature is not needed and, instead, the measure has been filed directly with the Secretary of State's office for inclusion on the May ballot. The measure will be sent to voters in May.

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## Recently Introduced Legislation

**HB 488 TAX LEVIES** (Hood, Becker) To modify the information conveyed in election notices and ballot language for property tax levies.

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## Legislative Committee Schedule For Next Week

#### Tuesday, February 13

**House Public Utilities** (Ch. Cupp), Rm. 116, 3 p.m.

**HB 402 TELEPHONE REGULATION** (Hill) To revise state regulation of telephone companies.

*4th Hearing-All testimony-Possible substitute & vote*

#### Wednesday, February 14

**House State & Local Government** (Ch. Anielski), Rm. 017, 2:30 p.m. or after session  
**HB 314 SAFETY TAX CREDIT** (Schaffer) To allow an income tax credit for law enforcement officials who purchase safety or protective items to be used in the course of official law enforcement activities.

*3rd Hearing-All testimony-Possible amendments & vote*

**HB 454 CEMETERY LOTS** (Patterson, Arndt) To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner.

*3rd Hearing-All testimony-Possible vote*

**HB 470 LIGHTING FUNDS** (Edwards) To authorize a property tax levy specifically to fund lighting for roads and public places.

*2nd Hearing-All testimony*

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## Federal Update

The House and Senate were in session this week. The House considered nine bills. Congress confronted another funding deadline this week to avoid shutdown again. Congress voted on a fifth Continuing Resolution (CR) to keep the government running after midnight Thursday. Another temporary funding patch is necessary because leaders are still negotiating a larger spending package for the remainder of FY 2018. That would entail reaching a bipartisan agreement on raising spending caps for defense and non-military programs.

### **EPA/Corps Finalize Delay in Obama-era WOTUS Rule**

On January 31, the Trump Administration finalized a delay in the "applicability date" of the 2015 Clean Water Rule regulating "waters of the U.S." (WOTUS) for two years. The U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers first proposed delaying the WOTUS rule in December 2017, arguing that the delay would provide nationwide consistency in the regulation if the 6th U.S. Court of Appeals' stay of the regulation were invalidated. Confirming the Administration's fears, the U.S. Supreme Court recently ruled that district courts have jurisdiction over legal challenges to the WOTUS rule. While the 6th Circuit stay remains in place for now, it will be withdrawn imminently, something the Administration mentions in its final regulation delaying the Obama-era rule. To read more information, please [click here](#).

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## OPERSource Newsletter Now Available

The January issue of OPERSource is now available on the OPERS website or by clicking [here](#).

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