

Ohio Township Association Legislative Alert



April 25, 2017

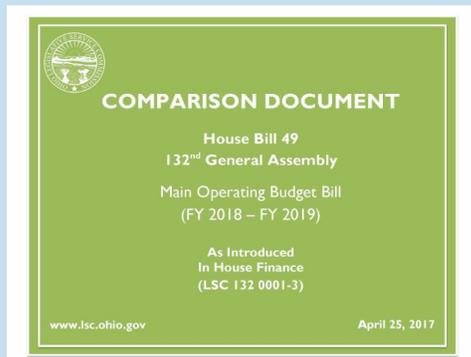
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Ohio House Finance Committee Accepts Substitute Budget Bill

The House Finance Committee accepted a substitute version of HB 49, the biennial budget bill, this morning. As expected, the House made some substantial changes to the governor's proposal.

If you would like to view the substitute bill in its entirety, you can do so through the link below:

[Sub. HB 49](#)



You may also view the comparison document that outlines the changes included in the sub. bill and the potential fiscal impact of those changes. To view the comparison document, please [click here](#).

Most notably, the substitute bill removes much of Governor Kasich's proposed tax code changes. The first version of the House's budget removes planned increases in the sales tax for cigarettes, other tobacco products, and other "tax shifting" proposed by Gov. Kasich. The substitute bill does include \$170.6 million in money targeted at the opioid crisis.

Other notable changes in the bill include language that:

- Requires OBM to transfer up to \$1 million in funds to DAS each fiscal year to reduce or eliminate MARCS subscriber fees paid by Tier 1 subscribers. (Sec. 207.40)
- Requires the AG to include rules that (1) allow peace officers to earn up to four hours of continuing professional training hours by providing drug use prevention education in K-12 schools; (2) allow a peace officer to earn training hours for providing drug use prevention in K-12 schools; and (3) prohibit training hours earned this way from being used to offset hands-on training otherwise required. (R.C. Sec. 109.803)
- Increases the time, from 10 business days to 30 calendar days, during which the Auditor of State must review a sworn affidavit and evidence against a fiscal officer and must determine whether clear and convincing evidence supports allegations of misconduct. (R.C. Sec. 507.13)
- Penalizes municipal corporations that do not timely publish an area wide waste treatment management plan and that does not charge the same sewer and water rates to residents and nonresidents. Withholds LGF money to municipalities that require annexation or other conditions to receive sewer and water services. (R.C. Secs. 5747.504, 5747.51, 5747.53, Sec. 803.210)
- Permits a township to designate the building department of another political subdivision to perform approval of manufactured home plans and specifications, installation, inspection, and

enforcement. (R.C. Sec. 4781.07)

- Increases base rates for commercial vehicles registered in Ohio and exempts those commercial cars and buses that are subject to the International Registration Plan from the local motor vehicle registration taxes. (R.C. Secs. 4501.044, 4501.045, 4503.02, 4503.038, 4503.04, 4503.042, 4503.08, 4503.10, 4503.101, 4503.63, 4503.65, 4503.83, 4504.201, Sec. 620.20)

- Eliminates the Governor's proposed changes to the distribution of the Local Government Fund but retains the language codifying the extra \$10 million per fiscal year for townships. (R.C. Secs. 131.44, 131.51, 5747.50, 5747.502, 5747.503, Sec. 757.20)

- Requires that sales tax be paid by a hotel intermediary. (R.C. Secs. 5739.01, 5739.13, 5741.13, Sec. 803.140)

- Adjusts the Current Agricultural Use Value (CAUV) calculation and phases in the changes over six years. (R.C. Secs. 5715.01, 5713.31, 5713.34)

- Requires a political subdivision that appeals a property tax assessment to pay property owner's attorney's fees and court costs should the owner prevail in the appeal. (R.C. Sec. 5717.07)

-Authorizes credit unions to participate in state linked deposit programs.

-Increases county treasurer collection fees, thus decreasing revenue from a township's tax distribution. (R.C. Sec. 321.26)

- Makes changes to the Tourism Development District Law (R.C. Secs. 503.56, 5739.09, Sec. 803.290)

- Permits a county or a municipality that created a CRA prior to 1994 to make changes to the CRA. (R.C. Sec. 3735.661)

- Allows counties to create a Regional Transportation Improvement Project that is similar to a TIF incentive district. (R.C. Secs. 5709.48, 5595.03, 5595.06, 5595.13, 5709.45, 5709.49, 5709.50, 5739.021, 5739.023, 5739.026, 5741.021, 5741.022, Sec. 803.300)

-Scraps the centralized collection of municipal taxes and makes related adjustments to the Ohio Business Gateway.

- Requires the Auditor of State to audit a cemetery with average revenue less than \$15,000 over the last 10 years only once every four fiscal years, rather than every two fiscal years. (R.C. Secs. 117.11, 117.115)

- Eliminates the proposal to permit county commissioners to appoint county engineers, rather than have them elected by the residents of each county.

- Increases county recorder fees for certain items.

- Permits a township to sell commercial advertising on a township website, so long as the website is not a dot.gov site. (R.C. Sec. 503.70)

Thank you Rep. Arndt!

- Clarifies transient vendor registration law for townships. (R.C. Sec. 505.94)

Thank you Rep. Conditt!

- Alters the village dissolution process. (R.C. Secs. 703.20, 703.21)

- Provides a probate court additional authority regarding a park district. (R.C. Sec. 1545.06)

- Removes the requirement that a taxing authority petition and receive approval from a court of common pleas before transferring revenue if the Tax Commissioner has approved the transfer of funds. (R.C. Sec. 5705.16)

Thank you Rep. Reineke!

Federal Update - NATaT

The House and Senate are in session this week. On Tuesday, the House will vote on 8 bills under suspension of the rules, including Senate-passed legislation (S. 496) to repeal the December 2016 final rule from the U.S. Department of Transportation that would force many local metropolitan planning organizations (MPOs) in the same region to merge. For the remainder of the week, the House will vote on the Register of Copyrights Selection and Accountability Act of 2017 (H.R. 1695), which would mandate that the head of the U.S. Copyright Office be appointed by the President and subject to Senate confirmation, rather than be appointed by the Librarian of Congress; and the Fannie and Freddie Open Records Act of 2017 (H.R. 1694), which would subject Fannie Mae and Freddie Mac to records requests under the Freedom of Information Act if they remain under government conservatorship or are placed in receivership.



The Senate will vote on the nomination of former Georgia Governor Sonny Perdue to serve as the 31st U.S. Secretary of Agriculture and vote to advance the nomination of Rod J. Rosenstein to serve as Deputy Attorney General on Monday. The Senate may also vote on two House-passed Congressional Review Act (CRA) disapproval resolutions to nullify Obama Administration rules finalized between June 13, 2016 and January 20, 2017, including the Bureau of Land Management's November 2016 rule that requires that oil and gas producers implement measures and limits to intentional venting, flaring, and leakage of methane from new and existing oil and gas producers on federal lands and the Labor Department's August 2016 rule to support state efforts to establish retirement savings plans for workers who do not otherwise have access to a tax free long term savings plan.

With current federal government funding set to expire at midnight on Friday, April 28, Congress only has five days to pass a government funding bill in order to avoid a shutdown on April 29. If an agreement is not reached by Friday, than the House and Senate may pass a one or two week "Continuing Resolution" (CR) to keep the government open temporarily. Among the outstanding issues Congressional Democrats and Republicans are still working on is how to handle a White House request for \$33 billion in additional funds for defense and border security, as well as money for Affordable Care Act payments known as Cost Sharing Reduction (CSR) Subsidies.

The Trump Administration has indicated that its tax reform plan, which includes a "massive tax cut" for businesses and individuals, may be released as early as Wednesday.

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