

Ohio Township Association Legislative Alert



March 16, 2018

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Legislative Activity This Week

Tuesday, March 13

House Ways & Means

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

Scheduled but not heard at the Sponsor's request.

House State & Local Government Committee

HB 500 TOWNSHIP LAWS (Carfagna) To make various changes to township law.

The bill had its second hearing. Please see next section for more information.

Rep. Carfagna - HB 500 - omnibus township legislation

Wednesday, March 14

Rep. LaTourette's office - potholes on township roads

Ohio Association of Regional Councils - zoning provisions of HB 500

Thursday, March 15

Senate Public Utilities

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 committee heard proponent testimony from the City of Dublin, Verizon Wireless, Ohio Chamber of Commerce, Ohio Municipal League, Ohio Mayors Alliance, City of Upper Arlington, City of Hilliard and the Columbus Chamber of Commerce.

Opponent testimony was offered by Crown Castle and the Ohio Cable Telecommunications Association.

Congressman Tim Ryan's office - US Postal Service, zip codes, door-to-door mail delivery service

Rep. Brown's office - township issues

Rep. Carfagna - HB 500 - omnibus township legislation

Rep. Pelanda - HB 500 - omnibus township legislation

Congressman Jim Jordan's office - township issues

Friday, March 16

Rep. Brinkman - ethics law

Rep. Patton - township zoning issues

HB 500 Omnibus Township Legislation

HB 500 TOWNSHIP LAWS (Carfagna) To make various changes to township law.

On March 13, the House State & Local Government Committee heard testimony on HB 500. In total, there were 11 witnesses that either testified in person or submitted written testimony in support of the measure. The OTA would like to thank the following entities or individuals for providing testimony:

- Asst. Delaware Co. Prosecutor
- Springfield Township, Lucas County
- Boardman Township, Mahoning County
- Coalition of Large Ohio Urban Townships
- Springfield Township, Hamilton County
- Sugarcreek Township, Greene County
- Violet Township, Fairfield County
- Anderson Township, Hamilton County
- Perkins Township, Erie County
- Trustee Robert Kroshefsky



Pictured: Mike Hampton (Springfield Twp./Lucas Co.); Larry Moliterno & Jason Loree (Boardman Twp./Mahoning Co.); Christopher Betts (Delaware Co. Assist. Pros.); and Rep. Rick Carfagna (sponsor of HB 500).

Next Hearing

The next hearing on HB 500 will be on Tuesday, March 20 at 2:00 p.m. in Room 017 at the Ohio Statehouse. If you are interested in testifying or providing written support, please contact Heidi Fought at fought@ohiotownships.org.

How can you help?

We are asking you to write a letter in support of HB 500 as a whole, or in reference to any provision in which your township is particularly interested. Letter should be mailed or emailed to the **House State & Local Government Committee** (click committee name for listing of members) and copy your House member and the State Association.

What's included in HB 500:

There are nineteen (19) different provisions included in HB 500 that impact townships. To read a brief overview of the items included, please [click here](#).

Recently Introduced Legislation

HB 550 FAMILY LEAVE (Boyd, Boggs) To establish family and medical leave insurance benefits to provide paid leave to allow an individual to address the individual's own serious health condition, to care for a family member, or to bond with a new child and to exempt those benefits from personal income tax.

HB 553 THEFT IN OFFICE (Cupp) To expand the increased penalties for theft in office based on the amount of property or services stolen and to include as restitution certain audit costs of the entity that suffered the loss involved in the offense.

HB 554 DESIGN CONTRACTS (Seitz) To regulate the use of indemnity provisions in professional design contracts related to public improvements.

Legislative Committee Schedule For Next Week

Tuesday, March 20

House Finance (Ch. Smith), Rm. 313, 10 a.m.

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

House Ways & Means (Ch. Schaffer), Rm. 121, 10 a.m.

[HB 488 LEVY NOTICES](#) (Hood, Becker) To modify the information conveyed in election notices and ballot language for property tax levies.

2nd Hearing-Proponent testimony

Senate Judiciary (Ch. Bacon), North Hearing Rm., 10:15 a.m.

[SB 250 CRITICAL INFRASTRUCTURE](#) (Hoagland) To prohibit criminal mischief, criminal trespass, and aggravated trespass on a critical infrastructure facility, to impose fines for organizations that are complicit in those offenses, and to impose civil liability for damage caused by trespass on a critical infrastructure facility.

1st Hearing-Sponsor testimony

House State & Local Government (Ch. Anielski), Rm. 017, 2 p.m.

[HB 500 TOWNSHIP LAWS](#) (Carfagna) To make various changes to township law.

3rd Hearing-All testimony

House Energy & Natural Resources (Ch. Landis), Rm. 018, 2:30 p.m.

[HB 393 BRINE SALES](#) (DeVitis, O'Brien) To authorize a person to sell brine derived from an oil and gas operation that is processed as a commodity for use in surface application in deicing, dust suppression, and other applications.

5th Hearing-All testimony-Possible vote

Wednesday, March 21

House Insurance (Ch. Brinkman), Rm. 116, 10 a.m.

[HB 459 WORKERS' COMPENSATION](#) (Henne) To allow groups of employers to be granted status as a selfinsuring employer for purposes of the Workers' Compensation Law.

2nd Hearing-Proponent testimony

Senate Energy & Natural Resources (Ch. Balderson), Finance Hearing Rm., 2:30 p.m. or after session

[SB 165 BRINE SALES](#) (Dolan, Skindell) To establish conditions and requirements for the sale of brine from certain oil or gas operations as a commodity and to exempt such a commodity from requirements otherwise applicable to brine.

4th Hearing-All testimony-Possible amendments

[HB 225 OIL GAS WELLS](#) (Thompson) To modify the law governing idle and orphaned oil and gas wells.

4th Hearing-Opponent & interested party testimony-Possible amendments

Thursday, March 22

Senate Public Utilities (Ch. Beagle), Finance Hearing Rm., 9 a.m.

[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.

3rd Hearing-Opponent & interested party testimony



Federal Update

Congressional Activity

The House and Senate were in session this week. The House considered 11 bills under suspension of the rules, including the Project Safe Neighborhoods Grant Program Authorization Act of 2017 (H.R. 3249), which would formally establish a DOJ grant program, Project Safe Neighborhoods, to combat gun and gang violence and authorize \$50 million annually from FYs 2018-2020 for the program.

The Senate resumed consideration of the Economic Growth, Regulatory Relief, and Consumer Protection Act (S. 2155), which would roll back several Dodd-Frank Act regulations for small and medium-sized banks.

House and Senate negotiators are still trying to complete an agreement on a must-pass \$1.2 trillion spending measure to fund the federal government for the remainder of FY 2018. Current stopgap spending runs through Friday, March 23, giving lawmakers less than one week to pass a bill. Negotiators are trying to resolve disputes over various policy riders, including a Republican proposal to curb funding of Planned Parenthood, that have held up agreement on the bill.

House Passes FCC Reauthorization and Broadband Spectrum Bill

On March 6, the House passed, by voice vote, the Repack Airwaves Yielding Better Access for Users of Modern Services (RAY BAUM'S) Act of 2018 (H.R. 4986), which would reauthorize the Federal Communications Commission for FYs 2019 and 2020 at \$333.1 million annually and includes key provisions from the Senate-approved Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless (MOBILE NOW) Act (S. 19) to boost the development of next generation 5G wireless broadband by identifying more spectrum—both licensed and unlicensed—for private sector use.

Senate Democrats Unveil \$1 Trillion Infrastructure Proposal

On March 7, Senate Democrats released their own 37-page "Jobs & Infrastructure Plan for America's Workers," which consists of a little over \$1 trillion dollars in spending on transportation, housing, health, education, broadband, etc. While the current Senate Republican majority will very likely not consider the proposal, it provides a blueprint for Senate Democrats' priorities for infrastructure moving forward.

Online Sales Tax Update

The Supreme Court is set to hear oral arguments on the online sales tax issue in *South Dakota v. Wayfair* next month. In agreeing to hear the case, the Supreme Court will revisit its 1992 decision in which it ruled that states could only require remote sellers to collect sales taxes if the business had a physical presence in the state. The Supreme Court is expected to make a decision in the case by the end June, when its current term ends.

Ahead of oral arguments, Rep. Kristi Noem (R-SD) has begun a public push to attach her Remote Transactions Parity Act to March's must-pass government spending bill. The Remote Transactions Parity Act is similar to the Marketplace Fairness Act, which the Senate passed in 2013. It would allow states to require remote sellers to collect sales tax from buyers according to taxes owed in the buyer's location. But in doing so, it would require states to provide free software to businesses that would correctly calculate the buyer's tax rate. Additionally, the bill would protect businesses using the software from audit by transferring that liability to the software provider. For more information on this issue, please [click here](#).

NATaT Fly-In

The 2018 National Association of Towns & Townships (NATaT) Legislative Fly-In is scheduled for Wednesday, May 9 & Thursday, May 10. The Fly-In check-in will begin in early afternoon of May 9, a forum will be held that afternoon, and then a reception for attendees will be held in the early evening. A dinner for all Ohio attendees will take place Wednesday evening. Legislative meetings will be scheduled on Thursday morning and early afternoon. (*Actual schedule of events yet to be finalized.*) The conference hotel is the Grand Hyatt in Washington, DC and room rate is \$355 a night. Registration fee for the event is \$179. For more information and the [registration form, please click here](#).

Opioid Toolkit

The Ohio Chamber of Commerce contracted with Working Partners® to develop the Opioid Toolkit containing free resources to better prepare Ohio businesses to prevent and respond to the drug problem in their workplaces. The project was funded in by Anthem Blue Cross/Blue Shield. Additionally, the Opioid Toolkit contains Generation Rx resources contributed by The Ohio State University and Cardinal Health Foundation;

developed by Working Partners®.

Opioid Toolkit website: www.ohiochamber.com

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