



# Ohio Township Association Legislative Alert July 10, 2020

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## Legislative Action This Week

### ***Governor Requires Face Coverings in Certain Counties***

Last week, Governor DeWine rolled out a new county-based color alert system for COVID-19 impact that shows more localized information. You can find a summary [here](#). There are four alert levels - yellow, orange, red, and purple - with increasing levels of impact.

*On July 7th, the Governor and the Ohio Department of Health issued a new public health order that requires individuals in "red" or "purple" counties to wear a mask in public. This order applies to all indoor public spaces or outdoor public spaces where social distancing cannot be maintained. It does not apply to children 10 years old and under and contains the exceptions of previous mask requirements.*

This requirement went into effect at 6:00 p.m. on Wednesday, July 8th. As of Friday, the twelve counties labeled red are Butler, Clermont, Cuyahoga, Fairfield, Franklin, Hamilton, Lorain, Montgomery, Pickaway, Summit, Trumbull, and Wood. This [sign](#) is available for use in level 3 or 4 counties. For a breakdown of each alert level, click [here](#).

Additionally, the Governor indefinitely extended previous Ohio Department of Health orders, including social distancing guidelines. You can read the new order [here](#). You can also read the health order regarding facial coverings [here](#).

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## Bills Recently Introduced

[HB 711 EMERGENCY MEDICAL SERVICES SCOPE](#) (Baldrige) - Regarding the scope of emergency medical services provided by emergency medical service personnel.

[HB 712 LAW ENFORCEMENT DATABASE](#) (Sheehy, Hicks-Hudson) - To require the Attorney General to create a database of information regarding law enforcement officers who have been terminated or resigned under certain circumstances and to require law enforcement agencies to access the database to determine employment eligibility of those officers.

[HB 713 PROHIBIT QUOTAS FOR CITATIONS, ARRESTS](#) (West, Leland) - To prohibit law enforcement agencies from using quotas for arrests and citations.

[HB 716 LAW ENFORCEMENT STRANGULATION OFFENSE](#) (Lepore-Hagan, Galonski) - To create the offense of strangulation by a law enforcement officer.

[HB 717 TRAINING SCHOOLS - PROSPECTIVE LAW ENFORCEMENT](#) (Miller, Upchurch) - To allow the chief of police of a municipal corporation to conduct training schools for prospective law enforcement officers.

[HB 718 FILL POSITIONS WITHOUT COMPETITIVE EXAMINATION](#) (Miller, West) - To allow a police department to fill a vacant position in the classified civil service without a competitive examination.

[HB 720 FIRE, POLICE CHIEFS' RESIDENCY REQUIREMENTS](#) (Ingram, Hicks-Hudson) - To

allow a municipal corporation to require its fire chief or chief of police to reside within the municipal corporation during the chief's first five years.

[HB 721 MILITARY EQUIPMENT SURPLUS REQUIREMENTS](#) (Weinstein, Crawley) - To prohibit a political subdivision from receiving certain property from a military equipment surplus program operated by the federal government and to limit the use of federal funds to purchase equipment.

[HB 722 PUBLIC NUISANCES](#) (Miller) - To add the accumulation of garbage and debris to the conditions that may constitute a public nuisance.

[SB 335 REDUCE PROPERTY TAXES-OWNER OCCUPIED HOMES](#) (Craig) - To reduce property taxes on owner-occupied homes to the extent that property taxes increase by more than 3% from the previous year and to name this act the Property Tax Relief and Local Government Support Act.

[SB 336 FRACKING WASTE WELLS](#) (Hoagland) - To revise the law governing the permitting of oil and gas brine injection wells.

[SCR 16 EXCESSIVE FORCE, POLICE FUNDING](#) (Gavarone) - To call for justice for victims of excessive force by police and declare opposition to efforts to defund law enforcement.

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## Township Requirement of Face Masks

The OTA has received numerous questions on a township's ability to pass a resolution that requires individuals to wear a face mask while in public, such as some cities have required via ordinance.

After inquiring with several township attorneys, there is no section in the Ohio Revised Code that permits a statutory township to require mask usage. Further, several AG Opinions state that "[a]bsent authority based on statute, a board of township trustees is not empowered to take action to improve, or to prevent injury to, the 'quality of life' of residents of the township" (AG Ops. No. 92-063; 88-088). There is an exception for limited home rule townships that may exercise this authority under R.C. Chapter 504.

As always, the OTA encourages townships to work with legal counsel on questions specific to their township.

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## AOS Bulletin

The Auditor of State has issued Bulletin 2020-005 regarding hourly billing rates and allocation of audit costs. The local government audit rates for FY 2021 will be \$41/hour. The bulletin also states that a local government may distribute the cost of an audit to each of the funds audited in accordance with its percentage of the total cost.

Please review the bulletin [here](#).

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## Cemetery Updates

### **2021 Cemetery Grant Applications**

The Ohio Division of Real Estate and Professional Licensing is pleased to announce that they are now accepting applications for the FY 2021 Cemetery Grant Program. This year's grant applications may only be submitted online. You may find the application [here](#) and the grant instruction package [here](#).

### **COVID-19 Guidance**

The Ohio Department of Commerce, Board of Funeral Directors and Embalmers, and Ohio

Funeral Directors Association has collaborated to provide updated guidance for protecting against COVID-19 at funerals. You may view the guidance [here](#).

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## OBM CARES Act FAQ Updated

The Ohio Office of Budget and Management has issued an updated FAQ on June 30th related to CARES Act dollars. Please review the document [here](#).

If you are having trouble registering on OBM's website as required, please contact OBM at [grants@obm.ohio.gov](mailto:grants@obm.ohio.gov). The easiest and most efficient way to get in touch with the OBM office is via email.

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## EPA Webinar

The Ohio EPA's Division of Environmental and Financial Assistance (DEFA) is hosting webinars focused on environmental issues that have an impact at the local level. The next webinar will be **Thursday, July 16th on Managing Contaminated Sites in Your Community**.

For more information, click [here](#).

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## Federal Update



### ***Congressional Action***

The House and Senate were in recess this week but the House held "Committee Work Days" all week. No votes are scheduled in either chamber until the week of July 20th.

The House Appropriations Committee (HAC) began considering FY 2021 appropriations bills this week. The House is aiming to pass all 12 FY 2021 appropriations bills by the end of the month, but leaders have yet to release a floor schedule. Progress on appropriations in the Senate continues to be delayed due to partisan disagreements. Several committee hearings related to COVID-19 were scheduled in the House this week as well.

NATaT has created a [Coronavirus Guidance webpage](#) to store NATaT letters, memos and briefs on the outbreak, as well as critical information and guidance released by Congress and the Administration.

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## 2020 Census



### **All Your Information for the Upcoming 2020 Census**

2020 Census Field Operations have resumed in Ohio as of June 3rd. Operations field staff will be hand delivering census packets as part of the Update Leave operation. These are the forms delivered to areas where they do not receive mail at their home address (P.O. Box Delivery). The operation does not require person to person contact. Census field staff will have mask and gloves and will leave the questionnaire packet at the door or on the porch in a plastic bag. They will not knock on doors.

Currently, the planned completion date for data collection for the 2020 Census is July 31, 2020, but that date can and will be adjusted if necessary as the situation dictates in order to achieve a complete and accurate count.

**It has never been easier to respond on your own, whether online, over the phone or**

by mail - all without having to meet a census taker.

Learn more about these updates and ways to be counted [here](#).

[US Census Website](#)

[Ohio Census Website](#)

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