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Bill Analysis
Legislative Service Commission

H.B. 712
123rd General Assembly
(As Introduced)

Reps. Hoops, Stapleton, Austria, Corbin, Harris, Olman, Jolivette

BILL SUMMARY

- Increases the compensation of nonjudicial county elected officials.
 - Establishes a permanent mechanism to provide annual cost-of-living salary adjustments for nonjudicial county elected officials, township trustees, and township clerks.
 - Reduces from 14 to eight the number of population classes that are used to determine the salaries of nonjudicial county elected officials.
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CONTENT AND OPERATION

Overview

The bill has three major components. First, it increases the annual compensation received by nonjudicial county elected officials. The percentage increase is not uniform for all the officials, but depends on which official is being considered and the population of the official's county. In general, the increase is at least 3%, usually more than 5%, and sometimes more than 10%.

The second major component is to establish a permanent mechanism to provide annual cost-of-living salary adjustments for the nonjudicial county elected officials and also for township trustees and clerks. The third is to collapse the 14 population classes that are used to determine the county officials' salaries into eight new classes. All of these components are discussed below. Because the change to the population classes is incorporated into the provision of the salary increases, it is discussed first.

New county official salary classification schedule

(R.C. Chapter 325.)

Current law sets the salaries of the various nonjudicial county elected officials using a schedule that classifies the official according to the population of the county. In general, the larger the county population, the larger the salary. The bill maintains this system, but reduces the number of population classes from 14 to eight. The bill's changes are shown in the following table.

Current Classifications		Proposed Classifications	
Class	Population Range	Class	Population Range
1	1-20,000	1	1-20,000
2	20,001-40,000	2	20,001-35,000
3	40,001-55,000	3	35,001-55,000
4	55,001-70,000	4	55,001-95,000
5	70,001-85,000	5	95,001-200,000
6	85,001-95,000	6	200,001-400,000
7	95,001-105,000	7	400,001-1,000,000
8	105,001-125,000	8	over 1,000,000
9	125,001-175,000		
10	175,001-275,000		
11	275,001-400,000		
12	400,001-550,000		
13	550,001-1,000,000		
14	over 1,000,000		

County official salary increases

Note: All references in this analysis to years mean calendar years.

County commissioner

(R.C. 325.10)

The bill increases the compensation of a county commissioner in 2001 as follows:

Current Compensation in 2000	Proposed Compensation in 2001
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Class	Compensation	Class	Compensation
1	\$28,006	1	\$31,860
2	30,932	2	34,874
3	33,858	3	37,888
4	36,784	4	47,359
5	39,710	5	55,970
6	43,890	6	65,656
7	45,980	7	74,269
8	48,070	8	78,874
9	51,205		
10	54,340		
11	59,565		
12	63,745		
13	67,925		
14	72,105		

Clerk of the court of common pleas

(R.C. 325.08)

The bill increases the compensation of the clerk of the court of common pleas in 2001 as follows:

Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1	\$29,932	1	\$33,399
2	32,426	2	35,969
3	34,921	3	38,537
4	37,415	4	45,389
5	39,078	5	52,240
6	42,404	6	58,234
7	44,067	7	62,516
8	45,729	8	64,704
9	48,640		
10	50,718		
11	54,460		
12	56,538		
13	58,616		
14	60,695		

Coroner

(R.C. 325.15)

The bill increases the compensation of the coroner in 2001 as follows:

Coroner With a Private Practice			
Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1	\$16,628	1	\$18,842
2	18,293	2	21,410
3	20,786	3	23,978
4	23,280	4	35,112
5	25,774	5	43,676
6	31,595	6	53,951
7	34,089	7	60,803
8	36,584	8	64,451
9	39,909		
10	42,404		
11	49,054		
12	52,380		
13	55,706		
14	59,032		

Coroner Without a Private Practice			
Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
10	\$95,815	5 (population of 175,001-200,000)	\$98,689
11	95,815	6	98,689
12	95,815	7	101,085
13	95,815	8	103,480
14	95,815		

The population range for Class 5 for coroners without a private practice is different than Class 5 as otherwise proposed by the bill, running from 175,001 to 200,000 instead of from 95,001 to 200,000. The bill contains a mistake in the Class 7 population range for coroners without a private practice, erroneously listing 800,000 as the upper limit of the range instead of 1,000,000.

County engineer

(R.C. 325.14)



The bill increases the compensation of the county engineer in 2001 as follows:

County Engineer With a Private Practice			
Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1	\$44,898	1	\$48,300
2	46,893	2	50,356
3	48,889	3	52,411
4	50,884	4	56,521
5	52,215	5	60,803
6	53,545	6	64,229
7	54,875	7	68,510
8	55,707	8	71,182
9	57,370		
10	59,033		
11	60,695		
12	62,358		
13	64,021		
14	66,516		

County Engineer Without a Private Practice			
Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1	\$64,694	1	\$68,691
2	66,690	2	70,746
3	68,686	3	72,801
4	70,681	4	76,912
5	72,011	5	81,193
6	73,342	6	84,619
7	74,672	7	88,901
8	75,503	8	91,568
9	77,166		
10	78,829		
11	80,492		
12	82,155		
13	83,818		
14	86,312		

Prosecuting attorney

(R.C. 325.11)



The bill increases the compensation of the prosecuting attorney in 2001 as follows:

Prosecuting Attorney With a Private Practice			
Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1	\$43,235	1	\$46,245
2	44,898	2	47,958
3	46,561	3	49,671
4	48,224	4	55,237
5	49,471	5	59,947
6	52,381	6	66,799
7	53,628	7	71,079
8	54,875	8	73,709
9	56,538		
10	58,201		
11	61,527		
12	64,853		
13	66,516		
14	69,010		

Prosecuting Attorney Without a Private Practice			
Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1-2	\$76,651	1	\$78,952
3-4	86,233	2-3	88,821
5-14	95,815	4-6	98,689
		7	101,085
		8	103,480

County recorder

(R.C. 325.09)

The bill increases the compensation of the county recorder in 2001 as follows:

Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1	\$29,101	1	\$32,543
2	31,595	2	35,112

3	34,089	3	36,825
4	35,752	4	42,820
5	37,415	5	48,815
6	40,741	6	55,665
7	41,572	7	60,803
8	42,404	8	63,479
9	44,898		
10	47,392		
11	51,550		
12	54,044		
13	56,538		
14	59,033		

Sheriff

(R.C. 325.06 and 325.071)

The bill increases the compensation of the sheriff in 2001 as follows:

Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1	\$37,172	1	\$40,855
2	39,666	2	43,425
3	42,160	3	45,139
4	43,824	4	52,595
5	47,737	5	64,082
6	49,401	6	71,790
7	51,063	7	76,073
8	52,727	8	78,279
9	55,638		
10	62,216		
11	64,296		
12	69,699		
13	71,778		
14	73,857		

County treasurer

(R.C. 325.04)

The bill increases the compensation of the county treasurer in 2001 as follows:

Current Compensation in 2000		Proposed Compensation in 2001	
Class	Compensation	Class	Compensation
1	\$29,932	1	\$33,399
2	32,426	2	35,969
3	34,921	3	38,537
4	37,415	4	45,389
5	39,078	5	52,240
6	42,404	6	58,234
7	44,067	7	62,516
8	45,729	8	64,704
9	48,640		
10	50,718		
11	54,460		
12	56,538		
13	58,617		
14	60,695		

County auditor

(R.C. 325.03)

Current law does not increase the salary of any nonjudicial county elected official after 2000 except that of the county auditor, which is increased by 3% in 2001 and 2002. The bill provides additional increases for the county auditor, setting the salaries as follows:

Current Compensation in 2000		Proposed Compensation in 2001		Proposed Compensation in 2002
Class	Compensation	Class	Compensation	Compensation
1	\$39,368	1	\$42,957	\$44,246
2	41,706	2	45,228	46,585

3	43,911	3	46,738	48,140
4	45,376	4	54,984	56,634
5	46,876	5	61,709	63,560
6	51,801	6	69,229	71,306
7	53,383	7	73,361	75,562
8	54,927	8	75,415	77,677
9	57,950			
10	59,911			
11	65,004			
12	67,213			
13	68,267			
14	71,225			

County and township annual cost-of-living adjustments

(R.C. 325.18, 505.24, and 507.09)

The bill institutes a permanent mechanism to provide annual cost-of-living salary adjustments for nonjudicial county elected officials, township trustees, and township clerks. For most of the officials, the mechanism provides adjustments beginning in 2002. But because current law already provides a 3% adjustment in 2002 for county auditors and township trustees and clerks, the new mechanism starts in 2003 for them.

Each year, the mechanism provides for an increase in the preceding year's compensation by the lesser of 3% or the percentage increase (if any) in the consumer price index for the preceding year.¹

Expansion of state payment of portion of certain compensation

(R.C. 325.06, 325.111, and 325.12)

Under current law, sheriffs receive an additional amount of compensation equal to 1/8th the amount specified in the salary schedule for that office. The state reimburses counties for the cost of the additional compensation, including the related amount of county contributions to the sheriff's retirement plan. The bill

¹ The consumer price index used is the U.S. Bureau of Labor Statistics' U.S. city average for urban wage earners and clerical workers: all items, 1982-1984=100. If that index is no longer published, any other generally available comparable index can be used.

provides that the state reimbursement is also to cover the related amount of county payments to the federal government for Medicare Part B.

Current law also provides for the state to pay additional compensation to a prosecuting attorney of a county with a population of less than 70,001 who elects not to engage in the private practice of law. The payment equals 40% of the difference between the prosecuting attorney's compensation under the salary schedule and what that compensation would be if the prosecuting attorney did engage in the private practice of law. The amount is paid in equal monthly installments.

The bill reconfigures the state payment as a reimbursement to the county for paying the compensation to the prosecuting attorney. On a quarterly basis, the county fiscal officer must certify to the Attorney General the amount of reimbursement due, which under the bill includes the county's retirement contribution and Medicare Part B payments related to the prosecutor's additional compensation. The Attorney General is to determine the accuracy of the amounts certified and cause payment to be made to the fiscal officer. The officer must deposit the payment to the credit of the county general fund.

Special application of county salary increase

(Section 3)

The bill specifies that the compensation it provides for 2001 for county commissioners, auditors, and treasurers is to be paid to those officers beginning January 1, 2001, in consideration of the impact on the officer's workload resulting from the enactment of various legislative measures by Congress and the General Assembly. In the case of county auditors and treasurers, the compensation is stated to be in particular consideration of the workload resulting from the enactment of Am. Sub. S.B. 142 of the 122nd General Assembly, which revised tax and other laws concerning manufactured and mobile homes. For county commissioners, the compensation is stated to be in particular consideration of the workload resulting from the enactment of the federal Workforce Investment Act and of the authority to levy a permissive manufactured home transfer tax under Am. Sub. S.B. 142. (See **COMMENT.**)

COMMENT

Section 20 of Article II of the Ohio Constitution prohibits in-term changes in salary for elected officers whose salary is set by the General Assembly. The text is as follows:

The General Assembly, in cases not provided for in this constitution, shall fix the term of office and the compensation of all officers; but no change therein shall affect the salary of any officer during his existing term, unless the office be abolished.

The current term for county auditors runs until March, 2003, county treasurers until September, 2001, and one of the three commissioners in each county until January, 2003.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-17-00	pp. 2004-2005

H0712-I.123/jc

