



Am. H.B. 13

126th General Assembly
(As Passed by the General Assembly)

Reps. Wagner, Latta, Seitz, Aslanides, Barrett, Carano, Chandler, Collier, Combs, Daniels, DeBose, Domenick, Kearns, McGregor, Otterman, Seaver, Walcher, Willamowski, Wolpert

Effective date: *

ACT SUMMARY

- Authorizes counties to levy a sales and use tax to fund emergency medical services.
- Does not increase the allowable rate of county sales and use taxes.
- Repeals provisions that require insurance and health insuring corporation policies, contracts, or agreements with coverage for 9-1-1 emergency services to provide for direct payments to certain providers of those services.
- Declares an emergency.

CONTENT AND OPERATION

County sales taxes

Current county sales tax authority

(R.C. 5739.021 and 5739.026)

Boards of county commissioners are authorized to levy sales and use taxes in the county at a total rate of up to 1½% in ¼% increments. Transit authorities also may levy a tax of up to 1½% in their territory.

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

Of each county's 1½% taxing authority, up to ½% may be levied for general revenue and for one or more of eight specific purposes: payment of convention facilities authority debt and operations; transit authorities; county permanent improvements; community improvements board permanent improvements; 9-1-1 systems; detention facilities; sports facilities; and agricultural easements. If the tax is levied for any purpose other than general revenue, the tax must be submitted to the voters for approval.

The remaining 1% of county taxing authority must be levied for general revenue or for courts, detention facilities, and the offices of the coroner, sheriff, and prosecutor. No voter approval is required, but the question of the tax may be submitted to voters at the option of the board of county commissioners.

Proposed additional purpose

(R.C. 5739.026(A)(10))

The act adds another specific purpose for which counties may levy a sales and use tax: to provide ambulance, paramedic, or other emergency medical services ("EMS"). As is the case with the eight specific purposes, a tax levied in whole or in part for EMS must be submitted to the voters for approval.

The act does not authorize an increase in the rate of county sales and use taxes. Any tax levied in whole or in part for EMS, along with any of the other existing authorized purposes, must be levied at a rate of ¼% or ½%.

Repeal of 9-1-1 emergency services direct payment requirements for insurance policies

(Repeal of R.C. 1753.281 and 3923.651; Section 3)

Sub. H.B. 255 of the 125th General Assembly enacted two laws regarding direct payments to providers of 9-1-1 emergency services. The laws do not take effect until March 31, 2005. The first law specifies that every individual or group policy of sickness and accident insurance with coverage for 9-1-1 emergency services must provide in the policy that reimbursement for those services will be paid directly to the provider of the services, or to the provider's assigned billing agent. Similarly, the second law specifies that every health insuring corporation policy, contract, or agreement with 9-1-1 emergency services coverage must provide for payment directly to a nonparticipating provider of the services, or the provider's billing agent. The act repeals both of these laws.

Emergency clause

(Section 4)

The act has an emergency clause, so the act takes immediate effect when it is signed by the Governor.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-25-05	p. 81
Reported, H. Ways & Means	03-01-05	pp. 241-242
Passed House (91-2)	03-02-05	pp. 279-280
Reported, S. Ways & Means & Economic Development	03-09-05	pp. 288-289
Passed Senate (27-5)	03-09-05	p. 294
House concurred in Senate amendments (90-6)	03-15-05	pp. 319-321

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