



Edmund Brown

Bill Analysis
Legislative Service Commission

H.B. 222

127th General Assembly
(As Introduced)

Reps. Zehringer, Setzer, Evans, Latta, Stebelton, Huffman, Seitz, Adams, Otterman, Fessler, Brown, Aslanides

BILL SUMMARY

- Requires notice of the sale upon execution of lands and tenements that is personally served upon a judgment debtor to contain a description of the lands and tenements and the street number of the buildings or lots offered for sale.
- Permits public notices of the sale upon execution of lands and tenements to contain a description of the lands and tenements and the street number of the buildings or lots offered for sale.
- Allows the officer taking lands and tenements upon execution to give public notice of the date, time, and place of the sale of the lands and tenements by advertisement posted on the Internet web site of the county sheriff.
- Requires that advertisements posted on the sheriff's web site be continually posted until the lands and tenements are sold or the execution is fully satisfied.

CONTENT AND OPERATION

Current law requires that all notices and advertisements, both those personally served and those published, for the sale upon execution of lands and tenements contain a description of the lands and tenements, as well as either the street number of the buildings erected on the land or the street number of the lots offered for sale. If the buildings or lots do not have a street number, the notice or advertisement has to provide the name of the street or road upon which the lands or tenements are located, together with the names of the streets or roads immediately to the north, south, east, or west of the lands or tenements that cross

or intersect the street or road upon which the lands or tenements are located. (R.C. 2329.23.)

The bill limits the description requirement to written notice that is personally served upon the judgment debtor. (R.C. 2329.23(A).) Public notices for the sale upon execution of lands and tenements, on the other hand, may, but do not have to, contain a description of the lands and tenements and the street number or, if there is no street number, the appurtenant streets or roads (R.C. 2329.23(B)).

Current law requires the officer taking lands and tenements upon execution to give public notice of the date, time, and place of the sale of the lands or tenements by advertisement in a newspaper of general circulation in the county. The bill allows the officer the option to post the public notice on the Internet web site maintained by the sheriff of the county. If the advertisement is posted on the sheriff's web site, the bill requires that it be continually posted on the web site until the lands and tenements are sold or the execution is fully satisfied. (R.C. 2329.26(A)(2).)

The bill also clarifies that the provisions regulating notices of the sale upon execution of lands or tenements apply also to land located in the unincorporated territory of a county (R.C. 2329.23).

HISTORY

ACTION	DATE
Introduced	05-17-07