Ohio Legislative Service Commission

Bill Analysis

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S.B. 181

129th General Assembly
(As Introduced)

Sens. Wagoner, Jones, LaRose, Patton, Sawyer, Tavares, Turner

BILL SUMMARY

- Implements recommendations of the Ohio Legislative Commission on the Education and Preservation of State History that were issued in September of 2010.

CONTENT AND OPERATION

"Ohio History" license plate

The bill provides for an "Ohio History" license plate to be designed by the Ohio Historical Society and approved by the Registrar of Motor Vehicles. Applicants who choose to obtain this license plate must pay to the Registrar the regular license tax, any applicable motor vehicle tax, a designated Bureau of Motor Vehicles administrative fee of $10, and a contribution of $20. A contribution of $20 also must be paid with each registration renewal. These contributions are to be transmitted to the Treasurer of State for deposit in the "Ohio History" License Plate Fund, which the bill creates in the state treasury. Money in the Fund is to be used by the Society to provide grants to historical organizations located in Ohio for the sole purpose of hosting exhibits and increasing public access to the organization's collection. During the four-year period immediately following the bill's effective date, however, the primary focus of the grant program must be the commemoration of the sesquicentennial of the American Civil War.

The bill requires the Society to establish and administer all aspects of the grant program, including eligibility requirements. The Society must annually prepare a written report that details all aspects of the grant program during the preceding

calendar year and submit the report to the General Assembly not later than the last business day of January.[1]

Income tax refund contribution

The bill establishes an additional income tax "check-off." Under the bill, and for taxable years beginning on or after January 1, 2011, taxpayers may contribute any part of their refunds to the Ohio Historical Society Income Tax Contribution Fund, which the bill creates in the state treasury. Contributions to the Fund may also be made in addition to or independently of the income tax check-off.

Money in the Fund is to be used by the Society to further its statutorily mandated public functions, with a small portion also going to pay the Department of Taxation for administration of Ohio's Tax Contribution System. In January of each odd-numbered year, the Society Director must report to the General Assembly on the effectiveness of this income tax refund contribution system.[2]

Exemption from competitive bidding

The bill exempts the following from the existing requirement that certain purchases by state agencies be made by competitive selection or with the approval of the Controlling Board:

(1) Purchases made by a state agency from the Ohio Historical Society;

(2) Payments made by a state agency to the Society.[3]

Archaeological or historical landmarks

The bill eliminates the requirement that the Ohio Historical Society maintain a state registry of archaeological landmarks that it finds to have archaeological significance and a state registry of historic landmarks that it finds to have historic significance. In doing so, it also removes the limitations placed upon any land so registered, including those related to the excavation or destruction of the landmarks and the sale or possession of any objects removed from the landmarks. The penalties for violating the corresponding prohibitions are also removed.[4]

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[1] R.C. 149.307 and 4503.95.

[2] R.C. 149.308 and 5747.113; Section 5.

[3] R.C. 127.16.

[4] R.C. 149.51 and 149.55 (both repealed).

The bill makes a number of conforming changes due to the elimination of the registries.[5] Additionally, it requires the county recorder to continue to keep six separate sets of records of all agreements for the registration of lands as archaeological or historic landmarks recorded prior to the bill's effective date.[6]

Ohio Cemetery Law Task Force

The bill establishes the Ohio Cemetery Law Task Force to develop recommendations on modifications of state laws relating to cemeteries. The Task Force is to consist of 11 members, appointed as follows:

--The President of the Senate is to appoint (1) a representative of local government, other than townships, (2) a representative of the Ohio Township Association, and (3) a representative of Native Americans.

--The Speaker of the House of Representatives is to appoint (1) a representative of private cemeteries, (2) a representative of the Ohio Historical Society, and (3) a representative of archeologists.

--The Governor is to appoint (1) a representative of the Ohio Genealogical Society, (2) a representative of the Ohio Cemetery Dispute Resolution Commission, (3) a representative of the Division of Real Estate and Professional Licensing in the Department of Commerce, (4) a representative of the Department of Transportation, and (5) a representative of the Department of Natural Resources.

The initial appointments must be made within 30 days after the bill's effective date, and vacancies are to be filled in the manner provided for original appointments. The Task Force is to elect two of its members to serve as co-chairpersons and to meet as often as necessary to carry out its duties. Members are to serve without compensation.

The Task Force is required to issue a report of its recommendations to the President of the Senate, the Speaker of the House of Representatives, and the Governor not later than one year after the bill's effective date. Upon submission of the report, the Task Force will cease to exist.[7]

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[5] R.C. 149.54, 317.08, 1506.30, and 3714.03.

[6] Section 4.

[7] Section 3.

HISTORY

ACTION	DATE
Introduced	06-07-11

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