
Detailed Fiscal Analysis

The bill requires the exclusion of restrictive covenant references in applications, registration decrees, registers of titles, sectional and tract indexes, title insurance policies, and other documents.

County Recorders

Under the bill, county recorders would be prohibited from doing any of the following:

- transcribing or binding in the register of titles, or filing a registration decree, which sets forth any restrictive covenant. Any inclusion of a restrictive covenant in a transfer, rental or lease of housing accommodations, any honoring or exercising, or any attempt of honoring or exercising a restrictive covenant constitutes an unlawful discriminatory practice under the Ohio Civil Rights Commission;
- making and delivering to the owner of registered land an owner's duplicate of title if the above prohibition is violated;
- issuing any duplicate title, certified copy of lost title, or any new certificate, without first deleting any reference in the document to a restrictive covenant;
- initially entering any memorial, notation, or memorandum referring to a restrictive covenant;
- carrying forward any memorial, notation, or memorandum referring to a restrictive covenant;
- filing any instrument or paper that relates to registered land referring to a restrictive covenant; and
- entering or indexing any instrument or paper referring to a restrictive covenant.

The county recorder would be required to delete from sectional and alphabetical indexes all references to restricted covenants that appear to apply to a parcel of land. Any inclusion of a restrictive covenant in a transfer, rental, or lease of housing accommodations, any honoring or exercising, or any attempt of honoring or exercising a restrictive covenant constitutes an unlawful discriminatory practice.

Fiscal Effect

County recorders would be required to delete discriminatory language in certain documents filed with their offices. This action could raise costs for county recorder offices, since corresponding increases in revenues would not exist. However, a spokesperson for the Ohio County Recorder's Association stated that county recorder offices would not be fiscally affected by this bill.

□ LBO staff: *Sharon Hanrahan, Budget/Policy Analyst*
 Rick Graycarek, Budget/Policy Analyst

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