

# Fiscal Note & Local Impact Statement

127<sup>th</sup> General Assembly of Ohio

Ohio Legislative Service Commission  
77 South High Street, 9<sup>th</sup> Floor, Columbus, OH 43215-6136 ♦ Phone: (614) 466-3615  
♦ Internet Web Site: <http://www.lsc.state.oh.us/>

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BILL: **Sub. H.B. 244** DATE: **April 30, 2008**  
STATUS: **As Passed by the Senate** SPONSOR: **Rep. Brinkman**  
LOCAL IMPACT STATEMENT REQUIRED: **No — Permissive**  
CONTENTS: **To authorize townships to relocate overhead electrical utilities underground upon petition by requesting residents and recoup those costs via special assessment**

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## State Fiscal Highlights

- No direct fiscal effect on the state.

## Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2008	FY 2009	FUTURE YEARS
<b>Townships</b>			
Revenues	Potential gain in assessments	Potential gain in assessments	Potential gain in assessments
Expenditures	Potential decrease in general fund costs for utility relocation	Potential decrease in general fund costs for utility relocation	Potential decrease in general fund costs for utility relocation
	Potential increase in administrative costs for petitioner hearings	Potential increase in administrative costs for petitioner hearings	Potential increase in administrative costs for petitioner hearings

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- The bill authorizes townships, upon petition by township residents, to relocate overhead electrical utilities, and authorizes townships to assess benefiting property owners for the cost of these projects, including interest on unpaid assessments. This would potentially reduce county general fund expenditures for these types of public improvements.
- The bill requires townships to schedule and give notice to affected landowners of hearings on such petitions. The hearing must be held not more than 30 days after the trustees were notified of the petition, which could result in some administrative costs if no such other township hearings were scheduled during this timeframe.



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## *Detailed Fiscal Analysis*

### **Township authority to assess for electrical utility relocation**

The bill authorizes townships, upon petition of township residents, to relocate overhead electrical utilities and pay for these projects by assessing the property owners who benefit from the improvements. The bill also allows for townships to collect interest on any unpaid assessments. The bill further specifies that, if part of an electrical utility relocation project benefits the township generally, then a portion of the costs may be paid from township general funds. Under current law, townships are responsible for these costs and thus bear the entire cost of such utility projects. By allowing townships to assess benefiting property owners for utility relocation projects, the net fiscal effect of the bill would be to reduce township general fund expenses for such public improvements.

### **Interest on unpaid assessments**

Although the bill also allows a township to waive assessments for parts of an electrical utility relocation project that are deemed to be of general benefit to the township, instead having that share paid from township general funds, interest due on unpaid assessments may not be waived. The interest on unpaid assessments must be based on the current prime rate. As of this writing, the prime rate is 5.25%. In a conforming change to current law regarding interest owed on unpaid street light assessments, the bill states that interest owed on these types of projects also cannot be paid from township general funds.

### **Hearings**

The bill also requires townships to schedule and give notice to the affected landowners of hearings concerning petitions to undertake overhead cable and wire relocation. These hearings must be held not more than 30 days after the trustees are notified, which could result in some minimal new administrative costs if no such other township hearings were scheduled during this timeframe.

*LSC fiscal staff: Terry Steele, Budget Analyst*

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