



# Ohio Legislative Service Commission

Nick Thomas

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## Fiscal Note & Local Impact Statement

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**Bill:** [Sub. H.B. 393 of the 128th G.A.](#)

**Date:** June 3, 2010

**Status:** As Enacted

**Sponsor:** Reps. Gerberry and Blessing, Jr.

**Local Impact Statement Procedure Required:** No — Permissive

**Contents:** Revises township notice requirements regarding nuisance properties, makes other changes, and declares an emergency

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- The bill could reduce township costs for nuisance property notifications.
- The bill specifies conditions under which a solid waste management district may loan money to a port authority. This could allow for qualifying port authorities to undertake projects that they might not otherwise be able to fund.
- The bill increases the portion of collected recordation fees that county recorders may use to purchase micrographic or other equipment, as well as contract services.
- The bill allows counties to provide agricultural societies subsidy amounts from county permanent improvement funds in addition to county general funds.
- The bill authorizes both county sheriffs and county coroners to maintain their primary offices outside of a county seat. Depending on location, this could either increase or reduce the cost of operating these offices.

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## **Detailed Fiscal Analysis**

The bill makes several changes to current law governing certain political subdivisions. The bill also extends the deadlines by which two legislative commissions are to complete their work. The fiscal effects of these provisions are outlined below.

### **Nuisance abatement**

The bill outlines a procedure that townships must follow when issuing subsequent notices of nuisance to property owners in situations where a previous notice was sent to the same property owner for the same parcel of land within the past year. Specifically, the bill requires that a township make a subsequent notification by (1) first-class mail, (2) via posted notice documented by photograph, or (3) if the owner's address is unknown, by notice posted in the township's offices or on the township's Internet web site. The bill then provides for a four day period in which the property owner is to abate the public nuisance, after which the township is to do so. Overall, creating the subsequent notification procedure could reduce mailing and newspaper advertising costs for townships. This is because, under current law, new and subsequent nuisance notifications are to be made by certified mail or by notice published in a newspaper of general circulation within the township if the nuisance property owner is unknown.

### **Loans to eligible port authorities**

The bill authorizes a solid waste management district to loan funds to a port authority. Several restrictions would be placed on any loans made under the bill. First, the solid waste district and the port authority must be located in the same county. Second, the balance of any fund from which the loaned amounts are to be taken must be greater than \$1 million and the loaned amount must not exceed 75% of this balance. Third, the port authority is required to use any amounts loaned under the bill to assist facilities that provide general health services. Fourth, the loan must be made within 90 days after the bill's effective date and repaid no more than 180 days after the loan is issued. This provision could allow eligible port authorities to fund projects that otherwise could not be undertaken given current funding constraints.

### **County recorder filing fees**

The bill also permits county recorders to request that a larger portion of their collected fees be used for micrographic and other equipment. Under current law, a county recorder is permitted to request that \$4 of the amount collected for filings be used to purchase new equipment. Under the bill, the county recorder is able to request an amount up to \$7 for this purpose. While there is no net fiscal effect associated with this provision, this authority may allow county recorders to acquire new equipment sooner than they can now.

## **County agricultural societies**

Under current law, a county agricultural society may only receive financial assistance from a county in the form of an appropriation from the county's general fund. The bill permits a county to provide an agricultural society with appropriations from the county's permanent improvement fund as well. Although this would allow for these amounts to increase somewhat, in general county agricultural societies receive only a small portion of their overall budget from counties. Most of the operating revenues for county agricultural societies consist of admissions fees, rental charges, competition entry fees, and so forth.

## **Location of county sheriff's or coroner's office**

The bill authorizes a county board of commissioners, with the consent of the county sheriff, to adopt a resolution that establishes the primary office of the county sheriff outside of the county seat. The bill makes a similar change to current law with regard to the primary office of the county coroner. Depending on the new location of the sheriff's office or the coroner's office, this provision could either raise or lower operating costs for these jurisdictions.

## **Legislative commissions**

Finally, the bill extends the date by which the Ohio Commission on Local Government Reform and Collaboration must submit its report from July 1, 2010, to September 1, 2010 and declares an emergency. The bill also extends the date by which the Ohio Legislative Commission on the Education and Preservation of State History must issue its report and findings from July 1, 2010, to September 1, 2010. Neither provision has any direct fiscal effect.