

State Government

H.B. 440

Primary Sponsors: Reps. Swearingen and White

Effective date: Emergency: Agricultural linked deposit provisions effective April 20, 2022; interim funds provisions effective July 21, 2022

Agricultural linked deposits

- Makes agricultural cooperatives eligible to borrow under the Agricultural Linked Deposit Program.
- Removes the explicit \$150,000 cap on individual loans obtained through the program, leaving the cap to be determined by the Treasurer of State.
- Eliminates the requirement that the Treasurer attempt to place up to \$165 million in agricultural linked deposits.

Investment of state interim funds

- Expands the types of obligations in which the Treasurer may invest state interim funds.
- Allows the Treasurer to enter into agreements with the state, political subdivisions, nonprofits, and state universities regarding certain terms and conditions relating to these new investment vehicles.
- Creates the State Securities Tender Program Fund, consisting of certain fees paid to the state for interim fund investments and used solely for operations of the Office of the Treasurer of State.

S.B. 9

Primary Sponsors: Sens. McColley and Roegner

Effective date: June 8, 2022; appropriation effective March 9, 2022; one conforming amendment effective September 30, 2024

Reduction in regulatory restrictions

- Requires each state agency to reduce the regulatory restrictions contained in its rules by 30% by June 30, 2025, according to a schedule and criteria set forth in the act.
- Prohibits an agency from adopting new regulatory restrictions that would increase the percentage of restrictions in the agency's rules.
- Beginning July 1, 2025, requires an agency that does not achieve a reduction in regulatory restrictions according to the schedule to eliminate two restrictions before adopting a new rule containing a restriction.

- Extends the preexisting prohibition against adopting a new regulatory restriction without eliminating two existing restrictions (the “two-for-one” rule) from June 30, 2023, to June 30, 2025.
- Allows the Joint Committee on Agency Rule Review (JCARR) to lessen an agency’s required reduction in regulatory restrictions if the agency fails to meet a reduction goal and shows cause why the agency’s required reduction should be lessened.
- Beginning July 1, 2025, caps the total number of regulatory restrictions that may be in effect in Ohio.
- Requires an agency to produce a revised inventory and historical progress report before September 15, 2022, and annually thereafter until the agency has met its reduction goal.
- Allows an administrative department head to direct otherwise independent officials or state agencies organized under the department to reduce regulatory restrictions.
- Allows the Common Sense Initiative Office (CSIO) to review any rules containing regulatory restrictions that an agency is required to include in its inventory and to direct an agency to eliminate a regulatory restriction, and permits the agency to appeal that decision to JCARR.
- Directs JCARR to compile the agencies’ inventories and reports into an annual comprehensive inventory and progress report that includes a description of JCARR’s work over the past year in assisting agencies.
- Requires JCARR to consult with Legislative Information Systems (LIS) to create and maintain a system for agencies to enter regulatory restriction data and compile and send inventories and reports.
- Requires JCARR to consult with LIS to establish the Cut Red Tape System, which must include a website and allow the public to request information, to communicate with JCARR, about regulatory restrictions.

Continuing rule adoption and review process

- Changes the criteria that all agencies must use when conducting a five-year review of an existing rule to match the act’s criteria for eliminating regulatory restrictions.
- Requires JCARR to apply the same modified standards when reviewing an existing rule that an agency has decided not to change.
- Allows JCARR to recommend that the General Assembly invalidate a proposed or existing rule on the basis that an agency subject to the regulatory restriction reduction requirement has failed to justify a rule containing a regulatory restriction.
- Requires all agencies adopting a new rule or conducting a five-year review to consider whether the rule implements a federal law or rule in a manner that is more stringent or burdensome than the federal law or rule requires.

- Allows JCARR to recommend that the General Assembly invalidate a proposed or existing rule if JCARR determines that it implements a federal law or rule in a manner that is more stringent or burdensome than the federal law or rule requires.

Appropriation for 2022 primary election

- Appropriates \$9 million in FY 2022 to provide financial assistance to county boards of elections in administering Ohio's 2022 primary election.

Liquor control laws

- Makes various technical and corrective changes in the Liquor Control Law, including allowing a local option election for the sale of beer to be held at a special election on a day when a primary election may be held.