
AUDITOR OF STATE

- Increases the time period during which the Auditor of State must review a sworn affidavit and evidence against a local fiscal officer and must determine whether clear and convincing evidence supports the allegations.
- Retains the fiscal watch law that changed the time period for filing a financial recovery plan and that added a condition for moving a municipal corporation, county, or township from a fiscal watch to a fiscal emergency.

Auditor of State removal of local government fiscal officers

(R.C. 319.26, 321.37, 507.13, and 733.78)

The act increases, from ten business days to 30 calendar days, the time period during which the Auditor of State must review a sworn affidavit and evidence against a local fiscal officer (i.e., county auditor, county treasurer, township fiscal officer, or fiscal officer of a city or village) and must determine whether clear and convincing evidence supports the allegations. Under continuing law, if the Auditor of State finds by clear and convincing evidence that an allegation is supported by the evidence, the Auditor must submit written findings to the Attorney General, who must review them within ten business days.

Continuance of a law regarding fiscal watches

(Section 105.20 (repealing the future version of R.C. 118.023))

In 2015, H.B. 64 of the 131st General Assembly made two changes to a law (R.C. 118.023) that specifies what a municipal corporation, county, or township must do when it has been declared to be under a fiscal watch. The changes were to be in effect only until September 29, 2017. The act retains the two changes. In other words, the law continues to operate the way it does as amended by H.B. 64, and the changes do not "expire" September 29, 2017.

The first change that the act retained reduced, from 120 to 90 days, the time a local government under a fiscal watch was given to submit its financial recovery plan to the Auditor of State. The other change retained added another condition under which the Auditor of State must move the local government from a fiscal watch to a fiscal emergency: when the Auditor of State finds that the local government has not made reasonable proposals or otherwise taken action to discontinue or correct the fiscal practices or budgetary conditions that prompted the declaration of fiscal watch, and the



Auditor determines a fiscal emergency declaration is necessary to prevent further decline. (The Auditor of State already must move a local government from a fiscal watch to a fiscal emergency if the local government does not submit a feasible financial recovery plan within a prescribed time period.)

