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H.B. 153
(As Amended by
AM_133_0414)
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 153's Bill Analysis](#)

Version: In House State and Local Government

Primary Sponsor: Rep. Becker

Local Impact Statement Procedure Required: No

Tom Wert, Budget Analyst

County courts of common pleas may incur new costs resulting from increased caseloads under the amended bill. Because additional cases would likely be rare and in most cases relatively simple matters, any additional costs would likely be minimal.

The bill modifies the law regarding vacancy in county offices. Under the bill, if a county officer fails to perform the duties of his or her office for 30 consecutive days, the office is deemed vacant.¹ Under the bill, performing the duties of office includes a county officer appearing at the officer's principal office location on at least five out of 30 consecutive days. The bill, as amended, specifies that a vacancy of office determination originates by the filing of a written complaint with the clerk of the court of common pleas of the county where the officer resides. Subsequent to the complaint, the amended bill requires the court to assign the complaint for a hearing. The amended bill requires the court to hear evidence cited by the complaint and the county officer and allows the court to consider motions for judgment, dismissal, or for summary judgment pursuant to various civil rules that are filed before the hearing. Under the amended bill, if it appears the county officer has failed to perform the officer's duties, including meeting the bill's office attendance requirement, the bill requires the court to remove the county officer from office and declare the office vacant.

HB0153H1/lb

¹ Under current law a county office is deemed vacant if a county officer fails to perform the duties of office for 90 consecutive days (30 consecutive days in the case of county auditors and county treasurers).