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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 38
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 38's Bill Analysis](#)

Version: As Reported by House Financial Institutions

Primary Sponsor: Rep. Hillyer

Local Impact Statement Procedure Required: No

Jessica Murphy, Budget Analyst and other LBO staff

Highlights

- The bill may minimally increase the number of mortgage lenders, servicers, or brokers registered under the Ohio Residential Mortgage Lending Act overseen by the Department of Commerce. The annual registration fee is \$500 per office location and deposited into the Consumer Finance Fund (Fund 5530).

Detailed Analysis

Ohio Residential Mortgage Lending Act

The bill makes several changes to the Ohio Residential Mortgage Lending Act (ORMLA) overseen by the Department of Commerce. One of the changes eliminates the existing requirements that a mortgage lender, servicer, or broker maintain an office location in the state and instead requires that the office be located in any U.S. state. As a result, the Department anticipates that the number of individuals registered by Ohio as mortgage lenders, servicers, or brokers may increase by a minimal amount. The annual registration fee is \$500 per office location. These fees are deposited into the Consumer Finance Fund (Fund 5530). In FY 2019, there were over 13,000 registrants. The other changes the bill makes to the ORMLA do not appear to have a fiscal effect on the Department.

Commercial credit reports

The bill's provisions regarding commercial credit reports will have no direct fiscal effect on the state or any of its political subdivisions. The bill explicitly states that any violation of its provisions regarding commercial credit reports does not provide a private right of action, including a class action. Therefore, the bill does not appear to provide any enforcement mechanism for these provisions.

The bill requires a commercial credit reporting agency to provide a credit report to a business that is the subject of the report, when requested by a representative, at no greater cost than what is charged to third parties, and establishes a procedure through which such a business may dispute a statement on the report.