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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 429  
(1\_133\_1920-2)  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 429's Bill Analysis](#)

**Version:** In House Civil Justice

**Primary Sponsors:** Reps. LaRe and Abrams

**Local Impact Statement Procedure Required:** No

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### Highlights

- The bill eliminates a provision that requires an applicant to change residence in order to be eligible for the Address Confidentiality Program, known as the Safe at Home Program. This could expand the number of applicants for the program. The Secretary of State pays for the costs of Safe at Home through the Address Confidentiality Fund (Fund 5SN0).
- The bill makes several changes related to the acquisition or disposition of real property, and the ability of local officials to access real property records of individuals in Ohio's "Safe at Home" address confidentiality program. These provisions could result in some cost increases to political subdivisions, but they only apply to property that program participants acquire after the effective date of the bill.
- The bill modifies some procedures pertaining to how the Secretary of State may disclose confidential information. These changes may result in some negligible cost increases.

### Detailed Analysis

The bill makes numerous changes to the Address Confidentiality Program, which is managed by the Secretary of State (SOS) and commonly referred to as the Safe at Home Program. Overall, these changes appear to result in minimal cost increases to the Secretary of State and to political subdivisions. Most notably, the bill removes a requirement that an applicant for the program be changing residence in order to be eligible for the program. Eliminating this requirement could potentially make more individuals eligible for the program. However, any additional applicants that would be eligible to participate in the program as a result of this change in qualifying criteria would be small. The bill makes some additional small changes to the procedures governing the Secretary of State's ability to disclose confidential information. Any fiscal costs associated with these procedural changes would appear to be negligible.

The costs of the Safe at Home Program are paid from the Address Confidentiality Fund (Fund 5SN0). The fund was initially capitalized through a transfer of \$50,000 from the Business Services Fund (Fund 5990) and receives periodic annual transfers of up to that amount. Ongoing revenue comes from court fines and penalties imposed for certain offenses. These sources of revenue amounted to approximately \$13,000 in FY 2019. The SOS spent nearly \$39,000 administering the program in that fiscal year.

Additionally, the bill modifies the program as it relates to real property acquisition or disposition. The bill establishes procedures for individuals in the program who wish to purchase real property to submit notice to the county recorder and local authorities to maintain confidentiality. The bill also establishes procedures for the disposition of property by court order in which the property no longer remains in the Safe at Home Program. With regard to individuals who acquire property, the bill specifies that this provision applies only to program participants who acquire property after the effective date of the bill. This potentially limits the number of initial applicants under this portion of the program significantly. In addition, the bill establishes provisions by which chief legal officers of political subdivisions may view confidential records. These procedures are likely to be used infrequently. If that is the case, they would only impose minimal cost increases for the jurisdictions responsible.

## **Synopsis of Fiscal Effect Changes**

The substitute version of the bill (I\_133\_1920-2) contains three primary changes. First, as it pertains to the acquisition, or disposition of real property, the bill specifies that only property acquired by Safe at Home participants after the effective date of the bill would be eligible for address protection under the program. This would appear to significantly limit the number of potential initial applicants. The second change in the substitute version of the bill pertains to the use of confidential information by legal offices of political subdivisions. These changes do not appear to have any fiscal impact on local jurisdictions. The final change in the bill pertains to disclosure of information by the Secretary of State and would seemingly have only a negligible fiscal impact.