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Substitute Bill Comparative Synopsis

Sub. H.B. 237

134th General Assembly

House State and Local Government

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_134_1101-5)
Document preservation surcharge (<i>R.C. 317.32 and 317.36</i>)	
Requires a county recorder to collect a \$10 document preservation surcharge for recording and indexing an instrument using the photocopy/similar process, with \$5 going to the county general fund and \$5 to the Housing Trust Fund.	Reduces the surcharge to \$5, to be deposited into the county general fund.
Appropriation (<i>Sections 3 and 4</i>)	
Appropriates \$15 million of GRF dollars to the Department of Development to distribute grants to counties to assist the county	Reduces the appropriation to \$10 million, and instead utilizes American Rescue Plan funds.

Previous Version (As Introduced)	Latest Version (I_134_1101-5)
recorder in satisfying the bill's requirement that the county recorder provide an electronic means of recording instruments and of accessing recorded instruments.	
Recorder's discretion	
No provision.	Specifies if American Rescue Plan funds are used, it is within the county recorder's discretion to either hire staff to satisfy the bill's requirements or enter into a contract to satisfy the bill's requirements. <i>(Section 5)</i>
Power of attorney pertaining to real property	
No provision.	Requires a power of attorney used for the execution of a real property instrument to be properly executed and acknowledged before the real property instrument is executed and acknowledged. Allows the subsequent recording of a power of attorney accompanied by an affidavit. Specifies that when a power of attorney and real estate instrument are executed on the same day, or recorded on the same day, the power of attorney is presumed to have been executed or recorded first. Specifies the changes are retroactive to the extent allowable under the Ohio Constitution (Article II, Section 28, which prohibits retroactive legislation that would impair a vested substantive right or a contractual obligation). <i>(R.C. 1337.04)</i>