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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 315
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 315's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsors: Reps. Hall and Seitz

Local Impact Statement Procedure Required: No

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Highlights

Appropriations

- The bill appropriates \$1.5 million in each year of the FY 2024-FY 2025 biennium under GRF appropriation line item (ALI) 195420, Housing Technical Assistance, under the Department of Development budget. The Department is required to distribute this funding in the form of grants to political subdivisions to modernize zoning regulations and processes.
- The bill appropriates \$1.0 million in each year of the FY 2024-FY 2025 biennium under GRF ALI 881500, Indigent Burial and Cremation Support, under the budget for the State Board of Embalmers and Funeral Directors. The Board is required to use this funding to subsidize the costs that local governments incur for burying or cremating the remains of indigent persons.

Township authority

- The bill allows townships to create township preservation commissions. As a result, townships can become Certified Local Governments (CLGs) and access federal funding for historic preservation. The Ohio History Connection administers these grants to CLGs.
- The bill creates a new process for townships to handle zoning violations by classifying them as civil violations and allowing police to issue citations. This could potentially decrease township zoning enforcement costs, although courts may incur costs to hold hearings in cases where a civil fine is disputed. These costs may be offset by court fees.
- The bill allows townships to publish various required public notices online or on social media instead of in newspapers. This could decrease public notice costs for townships in

certain circumstances. Townships will need to maintain proof of publication for online publication on their website and social media accounts.

- The bill modifies township authority to regulate massage establishments and providers. Specifically, the bill repeals the authority for township-issued licenses for massagers. Townships will no longer collect \$100 per application and \$50 per renewal to cover licensing administration costs.
- The bill allows townships to impose up to a \$1 fee per admission to certain tax exempt event venues with a capacity of at least 2,000. This revenue is to be used for township police, fire, and emergency medical services.

Detailed Analysis

The bill contains several provisions that affect township government. A comprehensive explanation of these provisions is available in the LSC bill analysis. The provisions with fiscal effects are explained in more detail below.

Township zoning grants

The bill appropriates \$1.5 million in each year of the FY 2024-FY 2025 biennium under GRF appropriation line item (ALI) 195420, Housing Technical Assistance, to the Department of Development to be used to offer grants to political subdivisions seeking to modernize regulations and processes tied to zoning efforts.

Indigent burial subsidy for local governments

The bill appropriates \$1.0 million in each year of the FY 2024-FY 2025 biennium under GRF ALI 881500, Indigent Burial and Cremation Support. This funding is to be used by the State Board of Embalmers and Funeral Directors (FUN) to reinstate the Indigent Burial and Cremation Support Program. The program helps local government entities offset the costs they incur for cremating or burying the remains of indigent people. Reimbursements may not exceed \$750 for a child or \$1,000 for an adult. Since inheriting the program from the Ohio Department of Job and Family Services in 2019, FUN has satisfied approximately 1,500 applications for financial help under the program. Funding for the indigent burial subsidy was not included in H.B. 33, the main operating budget act of the FY 2024-FY 2025 biennium.

Township preservation commissions

The bill allows townships to create township preservation commissions. This provision enables townships to fulfill certain requirements to become Certified Local Governments (CLGs) and pursue funding through the Ohio History Connection (OHC). As CLGs, townships are eligible for federal grants administered by OHC to help carry out historic preservation activities. CLG grant awards range from \$5,000 to \$25,000 and generally require a 40% match.

Funding for grants to CLGs come from the U.S. Department of the Interior's Historic Preservation Fund (CFDA 15.904), administered by the National Park Service, which provides financial support to state historic preservation offices such as OHC. Under provisions of the National Historic Preservation Act, 10% of the annual appropriation to Ohio is set aside for CLG grants. Ohio's CLG grants are awarded on a 60%/40% matching basis except for projects that qualify as "funding priorities" which can be funded up to 100% of the project cost. The grant recipient match can be made through any combination of cash, in-kind, and donated services and

materials. With the exception of Community Development Block Grant (CDBG) funds, federal funds cannot be used to meet the matching share requirements of CLG grants.

Township zoning violations

The bill classifies zoning violations as civil violations, which potentially decreases their enforcement costs. Instead of hiring a zoning inspection employee to enforce the zoning code, townships could use police officers for zoning enforcement. Courts may incur costs to hold a hearing if the civil fine is disputed. These costs may be offset by court fees. It is unclear how many townships would classify zoning violations as civil violations, how many fines would be issued, and how many fines would be disputed in court.

Newspaper notices

Under the bill, townships may decrease costs for providing public notices in certain circumstances. The bill allows townships to forego newspaper advertising and either publish via the state public notice website or the township's website and social media account. However, the bill does not permit these alternative publication methods in all cases. Specifically, if an existing newspaper publication requirement applies to a variety of entities and not only townships (e.g., townships, counties, and municipal corporations), then the newspaper publication requirement applies. If a township website and social media account are used, the township will need to document and maintain proof of publication.

Roads

The bill codifies an existing practice for townships to use general fund money to cover road and culvert maintenance, repair, and construction in addition to the township road fund as required under current law. This change provides a clarification of current law and does not have any new fiscal effect on townships.

Township massage regulation

The bill modifies township authority to regulate massage. Most notably, the bill repeals the authority for township-issued licenses for individuals who perform massage and instead requires an applicable state license or a relevant training program. Townships will no longer collect \$100 per application and a \$50 annual renewal fee to cover licensing administration costs. The bill also provides permissive authority for a township to require establishments to obtain a permit.

Township event admissions fee

The bill authorizes townships to impose a fee of up to \$1 per admission to certain tax exempt event venues with a capacity of at least 2,000. The fee would be referred to as the "Protect and Serve Charge." The revenue collected from this charge would go to police, fire, and emergency medical services. The fee would not apply to admissions to county fairgrounds, events sponsored by the state or a local government, or events with a ticket price of \$10 or less.

Provisions with little or no fiscal effect

The bill contains various provisions with little, if any, direct fiscal effects. It provides that vehicles owned by townships display the word "Township" on their license plates, similar to vehicles owned by cities or counties which have "City" or "County" license plates. The bill also eliminates a requirement that each township provide its fiscal officer with a book for the record

of marks and brands used for livestock ownership identification. Additionally, the bill clarifies existing law that boards of township trustees' emergency powers include emergencies due to a natural disaster, civil unrest, or the derailment of a locomotive. Next, the bill eliminates the requirement that the county prosecutor approve specifications of fire equipment. Finally, the bill repeals provisions of law requiring townships, whenever the board of trustees wishes to build or improve a town hall at a cost that requires competitive bidding, to submit the question to the electors.