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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Synopsis of House Committee Amendments

(This synopsis does not address amendments that may have been adopted on the House Floor.)

S.B. 32 of the 135th General Assembly

House Civil Justice

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The House Civil Justice Committee added the following to the Senate passed version of S.B. 32:

Community action agencies

- Exempts a nonprofit agency or organization, which has been designated as a community action agency by the Community Services Division of the Department of Development, from the requirements of Ohio Open Meetings Law and specifies that the agency is not a state agency or public office.
- Requires a nonprofit agency or organization designated as a community action agency to be incorporated under Ohio's nonprofit incorporation laws.
- Requires that the written operating procedures of a community action agency specify: (1) the methods by which the board may conduct meetings using virtual electronic technology, and (2) that the board may provide notice.

Clerks of the courts of common pleas and municipal courts

- Requires elected clerks of the common pleas court or municipal court to determine the best means and methods for storing, maintaining, and retrieving all papers delivered to the clerk in writing or in electronic form, in compliance with Superintendence Rule 26.
- Provides that such clerks are responsible for implementing the means and methods for the storage, maintenance, and retrieval of those delivered papers.
- Clarifies that a clerk of a common pleas court appointed in a charter county performs duties pursuant to the county charter.
- Provides that in the performance of official duties, an appointed clerk of a municipal court is under the direction of the court.
- Removes provisions granting municipal court clerks other powers and duties as prescribed by the court.

Creating a Respectful and Open World for Natural Hair (CROWN) Act

- Prohibits public K-12 schools and public preschools from discriminating against a student with respect to any program or activity because of traits associated with a student's race, including hair texture and protective hair styles, such as braids, locks, and twists.
- Allows a student alleging a public school or public preschool has discriminated against the student based on traits associated with the student's race to sue in any court having jurisdiction.

Property foreclosure sales

- Requires that for all property foreclosure sales, including tax sales, the officer that makes the sale must deliver the excess funds to the clerk of court not later than 45 days after the confirmation of sale.
- Authorizes the clerk in certain circumstances to send notification of excess funds by posting the notice to the judgement debtor on the clerk's website, sending a text message to the judgement debtor, or posting the notice in a conspicuous place in the court where the foreclosure action commenced.
- Increases the timeline in tax foreclosure sales of when the clerk must give the excess funds to the county treasurer to hold for the owner from 60 days to 90 days from the day the final notice is provided.
- Requires the clerk of court in tax foreclosure sales to follow the same notice requirements relating to excess funds as required under other foreclosure sales.

Auctioneer continuing education exemption

- States that the continuing education requirements for licensed auctioneers and auction firm managers established under current law do not apply to a licensed auctioneer who:
 - Was licensed as an apprentice auctioneer under law repealed by H.B. 321 of the 134th General Assembly on September 13, 2022; and
 - Completed the apprenticeship prior to that date.